

**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Petition to Revoke Probation  
Against:

WILLIAM NEIL REIMERS  
20848 Canterwood Drive  
Saugus, CA 91350  
Registered Nurse License No. 281536

Respondent.

Case No. 99-96

OAH No.

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on AUGUST 29, 2008.

It is so ORDERED AUGUST 29, 2008.

*LaTranene W Tate*

FOR THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS

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1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 GREGORY J. SALUTE  
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6 Attorneys for Complainant

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Petition to Revoke Probation  
Against:

Case No. 99-96

12 WILLIAM NEIL REIMERS  
13 20848 Canterwood Drive  
Saugus, CA 91350  
14 Registered Nurse License No. 281536

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15 Respondent.

16  
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
18 proceeding that the following matters are true:

19 PARTIES

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of  
21 the Board of Registered Nursing. She brought this action solely in her official capacity and is  
22 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,  
23 by Kimberlee D. King, Deputy Attorney General.

24 2. William Neil Reimers (Respondent) is representing himself in this  
25 proceeding and has chosen not to exercise his right to be represented by counsel.

26 3. On or about August 31, 1977, the Board of Registered Nursing issued  
27 Registered Nurse License No. 281536 to William Neil Reimers. The license was in full force  
28 and effect at all times relevant to the charges brought in Petition to Revoke Probation No. 99-96

1 and will expire on March 31, 2009, unless renewed.

2 JURISDICTION

3 4. Petition to Revoke Probation No. 99-96 was filed before the Board of  
4 Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against  
5 Respondent. The Petition to Revoke Probation and all other statutorily required documents were  
6 properly served on Respondent on January 2, 2008. Respondent timely filed his Notice of  
7 Defense contesting the Petition to Revoke Probation. A copy of Petition to Revoke Probation  
8 No. 99-96 is attached as exhibit A and incorporated herein by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, and understands the charges and allegations  
11 in Petition to Revoke Probation No. 99-96. Respondent also has carefully read, and understands  
12 the effects of this Stipulated Surrender of License and Order.

13 6. Respondent is fully aware of his legal rights in this matter, including the  
14 right to a hearing on the charges and allegations in the Petition to Revoke Probation; the right to  
15 be represented by counsel, at his own expense; the right to confront and cross-examine the  
16 witnesses against him; the right to present evidence and to testify on his own behalf; the right to  
17 the issuance of subpoenas to compel the attendance of witnesses and the production of  
18 documents; the right to reconsideration and court review of an adverse decision; and all other  
19 rights accorded by the California Administrative Procedure Act and other applicable laws.

20 7. Respondent voluntarily, knowingly, and intelligently waives and gives up  
21 each and every right set forth above.

22 CULPABILITY

23 8. Respondent admits the truth of each and every charge and allegation in  
24 Petition to Revoke Probation No. 99-96, agrees that cause exists for discipline and hereby  
25 surrenders his Registered Nurse License No. 281536 for the Board's formal acceptance.

26 9. Respondent understands that by signing this stipulation he enables the  
27 Board to issue an order accepting the surrender of his Registered Nurse License without further  
28 process.

1 CONTINGENCY

2 10. This stipulation shall be subject to approval by the Board of Registered  
3 Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the  
4 Board of Registered Nursing may communicate directly with the Board regarding this stipulation  
5 and surrender, without notice to or participation by Respondent. By signing the stipulation,  
6 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind  
7 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt  
8 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall  
9 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
10 between the parties, and the Board shall not be disqualified from further action by having  
11 considered this matter.

12 11. The parties understand and agree that facsimile copies of this Stipulated  
13 Surrender of License and Order, including facsimile signatures thereto, shall have the same force  
14 and effect as the originals.

15 12. In consideration of the foregoing admissions and stipulations, the parties  
16 agree that the (Board) may, without further notice or formal proceeding, issue and enter the  
17 following Order:

18 ORDER

19 IT IS HEREBY ORDERED that Registered Nurse License No. 281536, issued to  
20 Respondent William Neil Reimers is surrendered and accepted by the Board of Registered  
21 Nursing.

22 13. The surrender of Respondent's Registered Nurse License and the  
23 acceptance of the surrendered license by the Board shall constitute the imposition of discipline  
24 against Respondent. This stipulation constitutes a record of the discipline and shall become a  
25 part of Respondent's license history with the Board.

26 14. Respondent shall lose all rights and privileges as a registered nurse in  
27 California as of the effective date of the Board's Decision and Order.

28 ///

1                   15.     Respondent shall cause to be delivered to the Board both his wall and  
2 pocket license certificate on or before the effective date of the Decision and Order.

3                   16.     Respondent understands and agrees that if he ever applies for licensure or  
4 petitions for reinstatement in the State of California, the Board shall treat it as a new application  
5 for licensure. Respondent must comply with all the laws, regulations and procedures for  
6 licensure in effect at the time the application or petition is filed, and all of the charges and  
7 allegations contained in Petition to Revoke Probation No. 99-96 shall be deemed to be true,  
8 correct and admitted by Respondent when the Board determines whether to grant or deny the  
9 application or petition.


10                  17.     Should Respondent ever apply or reapply for a new license or certification,  
11 or petition for reinstatement of a license, by any other health care licensing agency in the State of  
12 California, all of the charges and allegations contained in Petition to Revoke Probation, No.  
13 99-96 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any  
14 Statement of Issues or any other proceeding seeking to deny or restrict licensure.

15                  18.     Respondent shall not apply for licensure or petition for reinstatement for  
16 three (3) years from the effective date of the Board of Registered Nursing's Decision and Order.

17                                   ACCEPTANCE

18                   I have carefully read the Stipulated Surrender of License and Order. I understand  
19 the stipulation and the effect it will have on my Registered Nurse License. I enter into this  
20 Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to  
21 be bound by the Decision and Order of the Board of Registered Nursing.

22 DATED: 3/8/2008

23  
24   
25 William Neil Reimers  
Respondent

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27                   REGISTERED NURSING  
28                   BOARD OF

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1 ENDORSEMENT

2 The foregoing Stipulated Surrender of License and Order is hereby respectfully  
3 submitted for consideration by the Board of Registered Nursing of the Department of Consumer  
4 Affairs.

5  
6 DATED: 4/29/08

7 EDMUND G. BROWN JR., Attorney General  
8 of the State of California

9 GREGORY J. SALUTE  
10 Deputy Attorney General

11   
12 KIMBERLEE D. KING  
13 Deputy Attorney General

14 Attorneys for Complainant

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Exhibit A

NOV 21 1996 Petition to Revoke Probation No. 99-96

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EDMUND G. BROWN JR., Attorney General  
of the State of California  
JENNIFER S. CADY  
Supervising Deputy Attorney General  
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Attorneys for Complainant

**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Petition to Revoke Probation  
Against:

WILLIAM NEIL REIMERS  
20848 Canterwood Drive  
Saugus, CA 91350

Registered Nurse License No. 281536

Respondent.

Case No.

99-96

**PETITION TO REVOKE  
PROBATION**

Complainant alleges:

**PARTIES**

1. Ruth Ann Terry, M.P.H, R.N (Complainant) brings this Petition to Revoke Probation solely in her official capacity as the Executive Officer of the Board of Registered Nursing (Board), Department of Consumer Affairs.

2. On or about August 31, 1977, the Board issued Registered Nurse License No. 281536 to William Neil Reimers (Respondent). Effective August 9, 1984, said license was revoked, revocation was stayed, and Respondent was placed on five (5) years probation.

Effective January 18, 1988, said license was revoked. Effective April 3, 1993, said license was reinstated and Respondent was placed on three (3) years probation. Effective November 12, 1995, Respondent was granted early termination of Probation. Effective October 10, 1999, said

///



1 license was revoked. Effective May 19, 2004, said license was reinstated and placed on five (5)  
2 years probation. The Registered Nurse License will expire on March 31, 2009, unless renewed.

3 3. In a disciplinary action entitled "In the Matter of the Petition for  
4 Reinstatement of William Neil Reimers," Case No. N 2004010256, the Board of Registered  
5 Nursing, issued a Decision, effective May 19, 2004, in which Respondent's Registered Nurse  
6 License was revoked. However, the revocation was stayed and Respondent's license was placed  
7 on probation for a period of five (5) years with certain terms and conditions. A copy of that  
8 decision is attached as Exhibit A and is incorporated by reference.

### 9 JURISDICTION

10 4. This Petition to Revoke Probation is brought before the Board, under the  
11 authority of the following laws. All section references are to the Business and Professions Code  
12 unless otherwise indicated.

### 13 STATUTORY PROVISIONS

14 5. Section 2750 of the Code states:

15 "Every certificate holder or licensee, including licensees holding temporary  
16 licenses, or licensees holding licenses placed in an inactive status, may be disciplined as provided  
17 in this article [Article 3 of the Nursing Practice Act (Bus. & Prof Code, § 2700 et seq.)). As used  
18 in this article, "license" includes certificate, registration, or any other authorization to engage in  
19 practice regulated by this chapter. The proceedings under this article shall be conducted in  
20 accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2  
21 of the Government Code [the Administrative Procedure Act], and the board shall have all the  
22 powers granted therein."

### 23 PETITION TO REVOKE PROBATION

#### 24 (Violation of Administrative Decision and Order)

25 6. Respondent is subject to having his probation and license revoked, in that  
26 Respondent violated certain terms and conditions of probation, as follows:

27 At all times after the effective date of Respondent's probation, Conditions 2, 3, 6  
28 8, 12, 13, 16, 17, and 18 of the Director's Administrative Decision and Order stated:

1                    **Condition 2: Obey All Laws.** "Respondent shall obey all federal, state, and local  
2 laws. A full and detailed account of any and all violations of the law shall be reported by  
3 Respondent to the Board in writing within seventy-two (72) hours of occurrence. To permit  
4 monitoring of compliance with this condition, Respondent shall submit completed fingerprint  
5 forms and fingerprint fees within 45 days of the effective date of the decision, unless previously  
6 submitted as part of the licensure application process.

7                    **Condition 3: Comply with the Board's Probation Program.** "Respondent shall  
8 fully comply with the conditions of the Probation Program established by the Board and  
9 cooperate with representatives of the Board in its monitoring and investigation of the  
10 Respondent's compliance with the Board's Probation Program. Respondent shall inform the  
11 Board in writing within no more than 15 days of any address change and shall at all times  
12 maintain an active current license status with the Board, including during any period of  
13 suspension.

14                    "Upon successful completion of probation, Respondent license shall be fully  
15 restored."

16                    **Condition 6: Submit Written Reports.** "Respondent, during the period of  
17 probation, shall submit or cause to be submitted such written reports/declarations and verification  
18 of actions under penalty of perjury, as required by the Board. These reports/declarations shall  
19 contain statements relative to Respondent's compliance with all the conditions of the Board's  
20 Probation Program. Respondent shall immediately execute all release of information forms as  
21 may be required by the Board or its representatives.

22                    "Respondent shall provide a copy of this decision to the nursing regulatory agency  
23 in every state and territory in which he or she has a registered nurse license."

24                    **Condition 8: Employment Approval and Reporting Requirements.**

25                    "Respondent shall obtain prior approval from the Board before commencing or continuing any  
26 employment, paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to  
27 the Board all performance evaluations and other employment related reports as a registered nurse  
28 upon request of the Board.

1 "Respondent shall provide a copy of this decision to his or her employer and  
2 immediate supervisors prior to commencement of any nursing or other health care related  
3 employment.

4 "In addition to the above, Respondent shall notify the Board in writing within  
5 seventy two (72) hours after he or she obtains any nursing or other health care related  
6 employment. Respondent shall notify the Board in writing within seventy two (72) hours after he  
7 or she is terminated or separated, regardless of cause, from any nursing, or other health care  
8 related employment with a full explanation of the circumstances surrounding the termination or  
9 separation."

10 Condition 12: Cost Recovery. "When Respondent's license is reinstated, he  
11 shall pay to the Board the \$6,910.25 in costs of investigation and enforcement ordered in the  
12 prior Decision pursuant to Business and Professions Code section 125.3. Respondent shall be  
13 permitted to pay these costs in a payment plan approved by the Board.

14 "If Respondent has not complied with this condition during the probationary term,  
15 and Respondent has presented sufficient documentation of his or her good faith efforts to comply  
16 with this condition, and if no other conditions have been violated, the Board, in its discretion,  
17 may grant an extension of the Respondent's probation period up to one year without further  
18 hearing in order to comply with this condition. During the one year extension, all original  
19 conditions of probation will apply."

20 Condition 13: Violation of Probation. "If Respondent violates the conditions of  
21 his probation, the Board after giving Respondent notice and an opportunity to be heard, may set  
22 aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's  
23 license.

24 "If during the period of probation, an accusation or petition to revoke probation  
25 has been filed against Respondent's license or the Attorney General's Office has been requested  
26 to prepare and accusation or petition to revoke probation against Respondent's license, the  
27 probationary period shall automatically be extended and shall not expire until the accusation or  
28 petition has been action upon by the Board."

28

1                    **Condition 16: Participate in Treatment/Rehabilitation Program for Chemical**

2    **Dependence.** "Respondent, at his/her expense, shall successfully complete during the  
3    probationary period or shall have successfully completed prior to commencement of probation a  
4    Board-approved treatment/rehabilitation program of at least six month duration. As required,  
5    reports shall be submitted by the program on forms provided by the Board. If Respondent has  
6    not completed a Board-approved treatment/rehabilitation program prior to commencement of  
7    probation, Respondent, within 45 days from the effective date of the decision, shall be enrolled in  
8    a program. If a program is not successfully completed within the first nine month of probation,  
9    the Board shall consider Respondent in violation of probation.

10                    "Based on Board recommendation, each week Respondent shall be required to  
11    attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics  
12    Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed  
13    by the Board. If the nurse support group is not available, an additional 12-step meeting or  
14    equivalent shall be added. Respondent shall submit dated and signed documentation confirming  
15    such attendance to the Board during the entire period of probation. Respondent shall continue  
16    with the recovery plan recommended by the treatment/rehabilitation program or a licensed  
17    mental health examiner and/or other ongoing recovery groups."

18                    **Condition 17: Abstain from Use of Psychotropic (Mood-Altering) Drugs.**

19                    "Respondent shall completely abstain from the possession, injection or  
20    consumption by any route of all controlled substances and all psychotropic (mood altering)  
21    drugs, including alcohol, except when the same are ordered by a health care professional legally  
22    authorized to do so as part of documented medical treatment. Respondent shall have sent to the  
23    Board, in writing and within fourteen (14) days, by the prescribing health professional, a report  
24    identifying the medication, dosage, the date the medication was prescribed, the Respondent's  
25    prognosis, the date the medication will no longer be required, and the effect on the recovery plan,  
26    if appropriate.

27                    "Respondent shall identify for the Board a single physician, nurse practitioner or  
28    physician assistant who shall be aware of Respondent's history of substance abuse and will

1 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled  
2 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician  
3 assistant shall report to the Board on a quarterly basis Respondent's compliance with this  
4 condition. If any substances considered addictive have been prescribed, the report shall identify a  
5 program for the time limited use of any such substances.

6 "The Board may require the single coordinating physician, nurse practitioner, or  
7 physician assistant to be a specialist in addictive medicine, or to consult with a specialist in  
8 addictive medicine."

9 Condition 18: Submit to Tests and Samples. "Respondent, at his expense, shall  
10 participate in a random, biological fluid testing or a drug screening program which the Board  
11 approves. The length of time and frequency will be subject to approval by the Board.  
12 Respondent is responsible for keeping the Board informed of Respondent's current telephone  
13 number at all times. Respondent shall also ensure that messages may be left at the telephone  
14 number when he is not available and ensure that reports are submitted directly by the testing  
15 agency to the Board, as directed. Any confirmed positive finding shall be reported immediately  
16 to the Board by the program and Respondent shall be considered in violation of probation.

17 "In addition, Respondent, at any time during the period of probation, shall fully  
18 cooperate with the Board or any of its representatives, and shall, when requested, submit to such  
19 tests and samples as the Board or its representatives may require for the detection of alcohol,  
20 narcotics, hypnotics, dangerous drugs, or other controlled substances.

21 "If Respondent has a positive drug screen for any substance not legally authorized  
22 and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the  
23 Board files a petition to revoke probation or an accusation, the Board may suspend Respondent  
24 from practice pending the final decision on the petition to revoke probation or the accusation.  
25 This period of suspension will not apply to the reduction of this probationary time period."

26 "If Respondent fails to participate in a random, biological fluid testing or drug  
27 screening program within the specified time frame, Respondent shall immediately cease practice  
28 and shall not resume practice until notified by the Board. After taking into account documented

evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the Board may suspend Respondent from practice pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.”

## GROUNDS FOR REVOKING PROBATION

7. Grounds exist for revoking probation and imposing the order of revocation of Respondent's license for failing to comply with the following terms:

Condition No. 2: Respondent failed to obey all laws, by failing to report a violation within 72 hours of occurrence. Despite previous advise by his probation monitor that this condition included traffic violations, Respondent did no report that he had received a traffic citation in March 2006 until prompted during a telephone conversation on May 3, 2006 by his probation monitor. Moreover, he did not submit a copy of the citation until July 2006.

Condition No. 3: Respondent failed to fully comply with the conditions of the Board's probation program, by failing to comply with Conditions Nos. 2, 3, 6, 8,12, 16, 17, and 18 above.

Condition No. 6: Respondent failed to submit written reports, as follows:

- a. Original support group attendance forms;
- b. Work Performance Evaluations in a timely manner;
- c. Relapse Prevention Plan by the due date of April 1, 2005;
- d. Mental Health examination by the due date of August 31, 2004;
- e. Doctor's note regarding prescription medications that Respondent stated had been prescribed and had tested positive for; and
- f. Quarterly reports, the first report was due April 2007.

Condition No. 8: Respondent failed to have work performance evaluations submitted on time and failed to notify the Board within 72 hours in writing of his resignation from Providence Holy Cross Medical Center.

Condition No. 2: Respondent failed to make cost recovery payments as provided in his cost recovery payment plan - 1/1/2020

1                   Condition No. 13: Respondent violated the conditions of his probation, as  
2 indicated in Conditions Nos. 2, 3, 6, 8, 12, 16, 17, and 18.

3                   Condition No. 16: Respondent failed to provide evidence of his support group  
4 attendance at the required 12-step program and nurse support group meetings each week.  
5 Moreover, it appears that he has not attended support group meetings in that on May 31, 2006,  
6 during a telephone conversation between the Board and Respondent, he told the Board that he  
7 was attending an additional step meeting, in lieu of a nurse support group.

8                   Condition No. 17: Respondent failed to abstain from the use of alcohol and  
9 mood-altering drugs as evidenced by positive drug screen results on May 10, 2005-Alcohol, May  
10 11, 2006-Alcohol, December 14, 2006-Dihydrocodeine/Hydrocodol, Hydrocodone,  
11 Hydromorphone, December 21, 2006-Hydrocodone, Hydromorphone, February 23, 2007-  
12 Alcohol, April 18, 2007-Alcohol, May 8, 2007-Alcohol, May 11, 2007-Alcohol, and June 7,  
13 2007. Respondent admitted to the Board that he "may have a beer or two". In addition to the  
14 positive results, Respondent's results were either out of range or diluted on June 24, 2005,  
15 September 14, 2005, September 20, 2006, October 18, 2006, March 29, 2007, and April 6, 2007.

16                   Condition No. 18: Respondent failed to comply with the drug screening program  
17 by failing to appear for screening and/or by failing to keep his account current with Compass  
18 Vision on October 27, 2005, February 15, 2006, April 20, 2006, June 8, 2006, and July 25, 2006.

19   PRAYER

20                   WHEREFORE, Complainant requests that a hearing be held on the matters herein  
21 alleged, and that following the hearing, the Board issue a decision:

22                   1.       Revoking the probation that was granted by the Board of Registered  
23 Nursing in Case No. 99-96 and imposing the disciplinary order that was stayed thereby revoking  
24 Registered Nurse License No. 281536 issued to William Neil Reimers;

25                   2.       Revoking or suspending Registered Nurse License No. 281536, issued to  
26 William Neil Reimers;

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3. Taking such other and further action as deemed necessary and proper.

DATED: 12/5/07

*Ruth Ann Terry*  
RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
State of California  
Complainant

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**Exhibit A**

**Decision and Order**

**Board of Registered Nursing Case No. N2004010256**

EXHIBIT A  
REGISTERED NURSING  
BOARD

SWP 101-1 11/2/22

FILED

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Petition for  
Reinstatement of:

William Neil Reimers  
20848 Canterwood Drive  
Saugus, CA 91350

Registered Nurse License No. 281536

Respondent.

OAH No. N 2004010256

DECISION

The attached Decision is hereby adopted by the Board of Registered Nursing as its Decision in the above-entitled matter.

This Decision shall become effective on May 19, 2004.

IT IS SO ORDERED this 19th day of April, 2004.

Sandra L. Erickson, CRNA

President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

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BOARD OF CONSUMER AFFAIRS

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RECEIVED

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Petition for  
Reinstatement of:

WILLIAM NEIL REIMERS

OAH No. N2004010256

Petitioner.

**DECISION**

On February 5, 2004, in Sacramento, California, the Board of Registered Nursing, Department of Consumer Affairs, State of California, heard this matter. Board members present were: Sandra L. Erickson, CRNA, President; Cynthia Johnson, Ed.D., R.N., Vice-President; Orlando H. Pile, M.D.; LaFrancine Tate; Carmen Morales-Board, R.N. and Grace Corse, R.N. Leonard L. Scott, Administrative Law Judge, Office of Administrative Hearings, State of California, presided.

Arthur Taggart, Supervising Deputy Attorney General, represented the complainant.

William Neil Reimers, petitioner, appeared in his own behalf.

Evidence was received, the record was closed and the matter was submitted. Thereafter, the Board met in executive session and reached this Decision.

**FACTUAL FINDINGS**

1. On or about July 25, 2003, petitioner filed a Petition for Reinstatement with the Board and thereafter the matter was set for hearing before the Board.

2. On or about August 31, 1977, the Board issued Registered Nursing License Number 281536 to petitioner.

Effective August 9, 1984, the Board revoked petitioner's license, the revocation was stayed and petitioner was placed on probation for five years with various terms and conditions. The revocation was for unprofessional conduct and gross negligence in violation of Business and Professions Code sections 2750, 2761(a) and (a)(1), 2762(a), (b) and (e) and Health and Safety Code section 11172(c) for fraudulent diversion of controlled substances from patients.

Effective January 18, 1988, the Board revoked petitioner's license for unprofessional conduct, gross negligence and conviction of a crime that is substantially related to the qualifications, functions and duties of a Registered Nurse in violation of Business and Professions Code section 2761(a), (e) and (f). The unprofessional conduct involved false, grossly incorrect, grossly inconsistent or unintelligible entries regarding controlled substances on patient charts. Regarding the criminal conviction, on or about June 3, 1985, in the Municipal Court of the Newhall Judicial District, County of Los Angeles, State of California, in the case entitled *People v. William Neil Reimers*, Case Number M14426, petitioner was convicted on his plea of nolo contendere of violating Health and Safety Code section 11173(a) (obtaining or attempting to obtain a controlled substance by fraud, deceit, misrepresentation, subterfuge or concealment of a material fact), a misdemeanor.

On July 27, 1991, the Board denied petitioner's Petition for Reinstatement.

On April 3, 1993, the Board reinstated petitioner's license and placed it on probation for three years with various terms and conditions.

On November 12, 1995, the Board granted petitioner early termination of probation.

Effective October 10, 1999, the Board revoked petitioner's license for violations of Business and Professions Code sections 2761(a) (unprofessional conduct for fraudulently obtaining and self-administering Demerol, a controlled substance), and 2761(f) (conviction of a crime substantially related to the qualifications, functions or duties of a Registered Nurse). Specifically, on November 7, 1997, in the Municipal Court of the Glendale Judicial District, County of Los Angeles, State of California, in the case entitled *People v. William N. Reimers*, Case Number 7GL03362, petitioner was convicted on his plea of nolo contendere of violating Health and Safety Code section 11173(A)(1) (obtaining a controlled substance by fraud, deceit, misrepresentation or subterfuge), a misdemeanor.

3. Petitioner's ex-wife died from cancer in April of 2001 and he is responsible for the three children from that union, who are now 15, 19 and 22 years of age.

Petitioner testified that he has been clean and sober since September 30, 1996; his longest period of sobriety since he started using drugs. His drug of choice was Demerol. His journey from addiction has been long and difficult and he takes it day by day. He attends and actively participates in 12 step program meetings and has a relapse plan. He recently completed a 20 unit drug addiction course.

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For the last two and a half years, petitioner has worked as the Director of Primary Care Services at Tarzana Treatment Centers (Clinics), a non-profit drug and alcohol treatment facility that has been in operation since 1972. He is responsible for the day to day operations of two primary care clinics and one HIV specialty clinic. He is responsible for contracting, staffing, daily operations, policies and procedures, and hiring and firing. He generally does not have access to controlled substances at work. If he receives his license, he intends to continue working at his present job, but may wish to expand what he does or work a couple of days a month in an emergency room. He last worked as a Registered Nurse at a Veteran's Administration hospital in October of 1999.

Albert Senella (Senella), the chief operating officer of the Clinics and petitioner's supervisor, provided a letter of support for petitioner, in which he attested to petitioner's competence and excellent work. Senella wrote that he was fully aware of petitioner's past history of drug abuse before petitioner was hired. Senella noted that all employees, including petitioner, are routinely drug tested and are subject to drug tests for cause at any time. Petitioner has not failed any drug tests.

Petitioner also provided letters of support from others he has worked for or with at the Clinic or at hospitals.

4. In the prior Decision, petitioner was ordered to pay \$6,910.25 in costs of investigation and enforcement and has not paid those costs.

### LEGAL CONCLUSIONS

Petitioner established cause to grant his Petition for Reinstatement pursuant to Business and Professions Code section 2760.1, as found in Finding 3.

### ORDER

The Petition for Reinstatement of petitioner William Neil Reimers is granted and Registered Nursing License Number 281536 is reinstated but the reinstated license is revoked, the revocation is stayed for five (5) years and petitioner, hereinafter referred to as respondent, is placed on probation on the following terms and conditions:

(1) AS A CONDITION TO THE ISSUANCE OF THE LICENSE--COMPLETE A NURSING REFRESHER COURSE - As a condition to the issuance of the license, before commencing any other work as a registered nurse, respondent shall take and successfully complete, at his expense, a registered nursing refresher course at an educational institution approved by the Board. Respondent shall obtain prior approval from the Board before enrolling in the refresher course. Respondent shall submit to the Board the original transcripts or certificates of completion for the above required refresher course. The Board

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shall return the original documents to respondent after photocopying them for its records. This refresher course is in addition to the requirement in term and condition number 11 for completion of nursing courses as a part of probation.

(2) OBEY ALL LAWS - Respondent shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by the respondent to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, respondent shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

(3) COMPLY WITH THE BOARD'S PROBATION PROGRAM - Respondent shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the respondent's compliance with the Board's Probation Program. Respondent shall inform the Board in writing within no more than 15 days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension.

Upon successful completion of probation, respondent's license shall be fully restored.

(4) REPORT IN PERSON - Respondent, during the period of probation, shall appear in person at interviews/ meetings as directed by the Board or its designated representatives.

(5) RESIDENCY, PRACTICE, OR LICENSURE OUTSIDE OF STATE - Periods of residency or practice as a registered nurse outside of California shall not apply toward a reduction of this probation time period. Respondent's probation is tolled, if and when he or she resides outside of California. The respondent must provide written notice to the Board within 15 days of any change of residency or practice outside the state, and within 30 days prior to re-establishing residency or returning to practice in this state.

Respondent shall provide a list of all states and territories where he or she has ever been licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide information regarding the status of each license and any changes in such license status during the term of probation. Respondent shall inform the Board if he/she applies for or obtains a new nursing license during the term of probation.

(6) SUBMIT WRITTEN REPORTS - Respondent, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the Board. These reports/declarations shall contain statements relative to respondent's compliance with all the conditions of the Board's Probation Program. Respondent shall immediately execute all release of information forms as may be required by the Board or its representatives.

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Respondent shall provide a copy of this decision to the nursing regulatory agency in every state and territory in which he or she has a registered nurse license.

(7) FUNCTION AS A REGISTERED NURSE - Respondent, during the period of probation, shall engage in the practice of registered nursing in California for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

For purposes of compliance with the section, "engage in the practice of registered nursing" may include, when approved by the Board, volunteer work as a registered nurse, or work in any non-direct patient care position that requires licensure as a registered nurse.

The Board may require that advanced practice nurses engage in advanced practice nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

If respondent has not complied with this condition during the probationary term, and the respondent has presented sufficient documentation of his or her good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of the respondent's probation period up to one year without further hearing in order to comply with this condition. During the one year extension, all original conditions of probation shall apply.

(8) EMPLOYMENT APPROVAL AND REPORTING REQUIREMENTS - Respondent shall obtain prior approval from the Board before commencing or continuing any employment, paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all performance evaluations and other employment related reports as a registered nurse upon request of the Board.

Respondent shall provide a copy of this decision to his or her employer and immediate supervisors prior to commencement of any nursing or other health care related employment.

In addition to the above, respondent shall notify the Board in writing within seventy-two (72) hours after he or she obtains any nursing or other health care related employment. Respondent shall notify the Board in writing within seventy-two (72) hours after he or she is terminated or separated, regardless of cause, from any nursing, or other health care related employment with a full explanation of the circumstances surrounding the termination or separation.

(9) SUPERVISION - Respondent shall obtain prior approval from the Board regarding respondent's level of supervision and/or collaboration before commencing or continuing any employment as a registered nurse, or education and training that includes patient care.

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Respondent shall practice only under the direct supervision of a registered nurse in good standing (no current discipline) with the Board of Registered Nursing, unless alternative methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are approved.

Respondent's level of supervision and/or collaboration may include, but is not limited to the following:

(a) Maximum - The individual providing supervision and/or collaboration is present in the patient care area or in any other work setting at all times.

(b) Moderate - The individual providing supervision and/or collaboration is in the patient care unit or in any other work setting at least half the hours respondent works.

(c) Minimum - The individual providing supervision and/or collaboration has person-to-person communication with respondent at least twice during each shift worked.

(d) Home Health Care - If respondent is approved to work in the home health care setting, the individual providing supervision and/or collaboration shall have person-to-person communication with respondent as required by the Board each work day. Respondent shall maintain telephone or other telecommunication contact with the individual providing supervision and/or collaboration as required by the Board during each work day. The individual providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to patients' homes visited by the respondent with or without respondent present.

(10) EMPLOYMENT LIMITATIONS - Respondent shall not work for a nurse's registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse, or for an in-house nursing pool.

Respondent shall not work for a licensed home health agency as a visiting nurse unless the registered nursing supervision and other protections for home visits have been approved by the Board. Respondent shall not work in any other registered nursing occupation where home visits are required.

Respondent shall not work in any health care setting as a supervisor of registered nurses. The Board may additionally restrict respondent from supervising licensed vocational nurses and/or unlicensed assistive personnel on a case-by-case basis.

Respondent shall not work as a faculty member in an approved school of nursing or as an instructor in a Board approved continuing education program.

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Respondent shall work only on a regularly assigned, identified and predetermined worksite(s) and shall not work in a float capacity.

If the respondent is working or intends to work in excess of 40 hours per week, the Board may request documentation to determine whether there should be restrictions on the hours of work.

(11) COMPLETE A NURSING COURSE(S) - Respondent, at his or her own expense, shall enroll and successfully complete a course(s) relevant to the practice of registered nursing no later than six months prior to the end of his or her probationary term. Respondent shall obtain prior approval from the Board before enrolling in the course(s). Respondent shall submit to the Board the original transcripts or certificates of completion for the above required course(s). The Board shall return the original documents to respondent after photocopying them for its records.

(12) COST RECOVERY - When respondent's license is reinstated, he shall pay to the Board the \$6,910.25 in costs of investigation and enforcement ordered in the prior Decision pursuant to Business and Professions Code Section 125.3. Respondent shall be permitted to pay these costs in a payment plan approved by the Board.

If respondent has not complied with this condition during the probationary term, and respondent has presented sufficient documentation of his or her good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of the respondent's probation period up to one year without further hearing in order to comply with this condition. During the one year extension, all original conditions of probation will apply.

(13) VIOLATION OF PROBATION - If a respondent violates the conditions of his/her probation, the Board after giving the respondent notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation/suspension) of the respondent's license.

If during the period of probation, an accusation or petition to revoke probation has been filed against respondent's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against the respondent's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Board.

(14) LICENSE SURRENDER - During respondent's term of probation, if he or she ceases practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation, respondent may surrender his or her license to the Board. The Board reserves the right to evaluate respondent's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, respondent will no longer be subject to the conditions of probation.

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Surrender of respondent's license shall be considered a disciplinary action and shall become a part of respondent's license history with the Board. A registered nurse whose license has been surrendered may petition the Board for reinstatement no sooner than the following minimum periods from the effective date of the disciplinary decision:

(a) Two years for reinstatement of a license that was surrendered for any reason other than a mental or physical illness; or

(b) One year for a license surrendered for a mental or physical illness.

(15) PHYSICAL EXAMINATION - Within 45 days of the effective date of this decision, respondent, at his/her expense, shall have a licensed physician, nurse practitioner, or physician assistant, who is approved by the Board before the assessment is performed, submit an assessment of the respondent's physical condition and capability to perform the duties of a registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If medically determined, a recommended treatment program will be instituted and followed by the respondent with the physician, nurse practitioner, or physician assistant providing written reports to the Board on forms provided by the Board.

If respondent is determined to be unable to practice safely as a registered nurse, the licensed physician, nurse practitioner, or physician assistant making this determination shall immediately notify the Board and respondent by telephone, and the Board shall request that the Attorney General's office prepare an accusation or petition to revoke probation. Respondent shall immediately cease practice and shall not resume practice until notified by the Board. During this period of suspension, respondent shall not engage in any practice for which a license issued by the Board is required until the Board has notified respondent that a medical determination permits respondent to resume practice. This period of suspension will not apply to the reduction of this probationary time period.

If the respondent fails to have the above assessment submitted to the Board within the 45-day requirement, respondent shall immediately cease practice and shall not resume practice until notified by the Board. This period of suspension will not apply to the reduction of this probationary time period. The Board may waive or postpone this suspension only if significant, documented evidence of mitigation is provided. Such evidence must establish good faith efforts by the respondent to obtain the assessment, and a specific date for compliance must be provided. Only one such waiver or extension may be permitted.

(16) PARTICIPATE IN TREATMENT/REHABILITATION PROGRAM FOR CHEMICAL DEPENDENCE - Respondent, at his/her expense, shall successfully complete during the probationary period or shall have successfully completed prior to commencement of probation a Board-approved treatment/rehabilitation program of at least six months duration. As required, reports shall be submitted by the program on forms provided by the Board. If respondent has not completed a Board-approved treatment/rehabilitation program prior to commencement of probation, respondent, within 45 days from the effective date of

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the decision, shall be enrolled in a program. If a program is not successfully completed within the first nine months of probation, the Board shall consider respondent in violation of probation.

Based on Board recommendation, each week respondent shall be required to attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by the Board. If a nurse support group is not available, an additional 12-step meeting or equivalent shall be added. Respondent shall submit dated and signed documentation confirming such attendance to the Board during the entire period of probation. Respondent shall continue with the recovery plan recommended by the treatment/rehabilitation program or a licensed mental health examiner and/or other ongoing recovery groups.

(17) ABSTAIN FROM USE OF PSYCHOTROPIC (MOOD-ALTERING) DRUGS - Respondent shall completely abstain from the possession, injection or consumption by any route of all psychotropic (mood altering) drugs, including alcohol, except when the same are ordered by a health care professional legally authorized to do so as part of documented medical treatment. Respondent shall have sent to the Board, in writing and within fourteen (14) days, by the prescribing health professional, a report identifying the medication, dosage, the date the medication was prescribed, the respondent's prognosis, the date the medication will no longer be required, and the effect on the recovery plan, if appropriate.

Respondent shall identify for the Board a single physician, nurse practitioner or physician assistant who shall be aware of respondent's history of substance abuse and will coordinate and monitor any prescriptions for respondent for dangerous drugs, controlled substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician assistant shall report to the Board on a quarterly basis respondent's compliance with this condition. If any substances considered addictive have been prescribed, the report shall identify a program for the time limited use of any such substances.

The Board may require the single coordinating physician, nurse practitioner, or physician assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive medicine.

(18) SUBMIT TO TESTS AND SAMPLES - Respondent, at his/her expense, shall participate in a random, biological fluid testing or a drug screening program which the Board approves. The length of time and frequency will be subject to approval by the Board. The respondent is responsible for keeping the Board informed of respondent's current telephone number at all times. Respondent shall also ensure that messages may be left at the telephone number when he/she is not available and ensure that reports are submitted directly by the testing agency to the Board, as directed. Any confirmed positive finding shall be reported immediately to the Board by the program and the respondent shall be considered in violation of probation.

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In addition, respondent, at any time during the period of probation, shall fully cooperate with the Board or any of its representatives, and shall, when requested, submit to such tests and samples as the Board or its representatives may require for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or other controlled substances.

If respondent has a positive drug screen for any substance not legally authorized and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board files a petition to revoke probation or an accusation, the Board may suspend respondent from practice pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.

If respondent fails to participate in a random, biological fluid testing or drug screening program within the specified time frame, the respondent shall immediately cease practice and shall not resume practice until notified by the Board. After taking into account documented evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the Board may suspend respondent from practice pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.

(19) MENTAL HEALTH EXAMINATION - The respondent shall, within 45 days of the effective date of this decision, have a mental health examination including psychological testing as appropriate to determine his/her capability to perform the duties of a registered nurse. The examination will be performed by a psychiatrist, psychologist or other licensed mental health practitioner approved by the Board. The examining mental health practitioner will submit a written report of that assessment and recommendations to the Board. All costs are the responsibility of the respondent. Recommendations for treatment, therapy or counseling made as a result of the mental health examination will be instituted and followed by the respondent.

If respondent is determined to be unable to practice safely as a registered nurse, the licensed mental health care practitioner making this determination shall immediately notify the Board and respondent by telephone, and the Board shall request that the Attorney General's office prepare an accusation or petition to revoke probation. Respondent shall immediately cease practice and may not resume practice until notified by the Board. During this period of suspension, respondent shall not engage in any practice for which a license issued by the Board is required, until the Board has notified respondent that a mental health determination permits respondent to resume practice. This period of suspension will not apply to the reduction of this probationary time period.

If the respondent fails to have the above assessment submitted to the Board within the 45-day requirement, respondent shall immediately cease practice and shall not resume practice until notified by the Board. This period of suspension will not apply to the reduction of this probationary time period. The Board may waive or postpone this suspension only if significant, documented evidence of mitigation is provided. Such evidence must establish

good faith efforts by the respondent to obtain the assessment, and a specific date for compliance must be provided. Only one such waiver or extension may be permitted.

(20) THERAPY OR COUNSELING PROGRAM - Respondent, at his/her expense, shall participate in an on-going counseling program until such time as the Board releases him/her from this requirement and only upon the recommendation of the counselor. Written progress reports from the counselor will be required at various intervals.

(21) SEVERABILITY CLAUSE - Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

Dated: April 19, 2004



SANDRA L. ERICKSON, CRNA,  
PRESIDENT,  
BOARD OF REGISTERED NURSING

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BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

|                                     |   |              |
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| In the Matter of the Accusation     | ) |              |
| Against:                            | ) |              |
|                                     | ) | No. 99-96    |
| WILLIAM NEIL REIMERS                | ) |              |
| 21466 Angela Yvonne                 | ) | L-1999050485 |
| Saugus, CA 91350                    | ) |              |
| Registered Nurse License No. 281536 | ) |              |
|                                     | ) |              |
| Respondent.                         | ) |              |
| _____                               | ) |              |

DECISION

The attached Proposed Decision of the Administrative Law Judge is hereby adopted by the Board of Registered Nursing as its Decision in the above-entitled matter.

This Decision shall become effective October 10, 1999.

IT IS SO ORDERED September 10, 1999.

BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

By Mary Jo Gurny Olsen

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

|                                     |   |                      |
|-------------------------------------|---|----------------------|
| In the Matter of the Accusation     | ) | Case No. 99-96       |
| Against:                            | ) | OAH No. L-1999050485 |
|                                     | ) |                      |
| WILLIAM NEIL REIMERS                | ) |                      |
| 21466 Angela Yvonne                 | ) |                      |
| Saugus, CA 91350                    | ) |                      |
| Registered Nurse License No. 281536 | ) |                      |
|                                     | ) |                      |
| _____ Respondent.                   | ) |                      |

PROPOSED DECISION

This matter came on for hearing before Richard J. Lopez, Administrative Law Judge of the Office of Administrative Hearings, at Los Angeles, California, on July 16, 1999.

Zaven V. Sinanian, Deputy Attorney General represented the complainant.

Respondent appeared in person and represented himself.

Oral and documentary evidence and evidence by way of stipulation and official notice was received and the matter then argued and thereafter submitted.

The Administrative Law Judge now finds, determines, and orders as follows:

PARTIES AND JURISDICTION

Complainant Ruth Ann Terry brought the accusation in her official capacity as Executive Officer, Board of Registered Nursing, Department of Consumer Affairs, State of California.

On August 31, 1977, the Board of Registered Nursing issued registered nurse license number 281536, to William Neil Reimers, respondent herein. Said license is in full force and effect.

All pre-hearing jurisdictional requirements have been met. Jurisdiction for this proceeding does exist.

FINDING OF FACT  
PURSUANT TO  
OFFICIAL NOTICE

"Demerol," a brand of meperidine hydrochloride, a derivative of pethidine, is a Schedule II controlled substance as designated by Health and Safety Code section 11055 (c)(17) and a dangerous drug within the meaning of Business and Professions Code section 4022 in that it requires a prescription under federal law.

COMBINED FINDINGS OF FACT/  
CONCLUSIONS OF LAW

Respondent has subjected his license to discipline under Business and Professions Code section 2761 (a) on the grounds of unprofessional conduct as defined in section 2762 (a) of that code in that between approximately September 19 and September 29, 1996, while employed as a staff nurse in the Emergency Room at Verdugo Hills Hospital, Glendale, California, he did the following:

(A) Obtained approximately 1300 mgs. of Demerol, a controlled substance, by fraud, deceit, misrepresentation or subterfuge in violation of Health and Safety Code section 11173 (a)(1), by signing out 26 ampules of Demerol from the hospital supply for patients that did not have Demerol ordered by their physicians, and specifically for his own personal use.

(B) Self-administered Demerol, a controlled substance, without lawful direction from a licensed physician and surgeon, dentist or podiatrist.



Respondent has subjected his license to discipline under Business and Professions Code section 2761 (a) on the grounds of unprofessional conduct as defined in section 2762 (e) of that code in that while employed as a staff nurse in the Emergency Room at Verdugo Hills Hospital, Glendale, California, he falsified entries in hospital and patient records in the following respects:

(A) On September 19, 1996, at 2315 hours, for patient E.S., (#21-04-11) signed out two-50 mgs. Demerol in line one of Narcotic Record Sheet No. 22107 when, in fact, there was no physician order for Demerol for this patient.

(B) On September 20, 1996, at 0145 hours, for patient E.S., (#21-04-11) signed out two-50 mgs. Demerol on line two of Narcotic Record Sheet No. 22107 when, in fact, there was no physician order for Demerol for this patient.

(C) On September 20, 1996, at 2145 hours, for patient D.R., (#03-62-86) signed out 50 mgs. Demerol on line 7 of Narcotic Record Sheet No. 22107 when, in fact, there was no physician order for Demerol for this patient.

(D) On September 20, 1996, at 2000 hours, for patient M.B., (#18-88-32) signed out two-50 mgs. Demerol on line 6 of Narcotic Record Sheet No. 22107 when, in fact, there was no physician order for Demerol for this patient.

(E) On September 21, 1996, at 0130 hours, for patient S.A., (#19-98-21) signed out two-50 mgs. Demerol on line 9 of Narcotic Record Sheet No. 22107 when, in fact, there was no physician order for Demerol for this patient.

(F) On September 24, 1996, at 2130 hours, for patient G.B., (#06-47-68) signed out two-50 mgs. Demerol on line 34 of Narcotic Record Sheet No. 22107 when in fact, there was no physician order for Demerol for this patient.

(G) On September 24, 1996, at 0320 hours, for patient E.V., (#21-04-98) signed out two-50 mgs. Demerol on line 26 of Narcotic Record Sheet No. 22107 when, in fact, there was no physician order for Demerol for this patient.

(H) On September 24, 1996, at 0615 hours, for patient E.V., (#21-04-98) signed out two-50 mgs. Demerol on line 27 of Narcotic Record Sheet No. 22107 when, in fact, there was no physician order for Demerol for this patient.

(I) On September 29, 1996, at 1645 hours, for patient N.W., (#15-47-94) signed out two-50 mgs. Demerol on line 2 of Narcotic Record Sheet No. 22109 when, in fact, there was no physician order for Demerol for this patient.

(J) On September 29, 1996, at 1930 hours, for patient N.W., (#15-47-94) signed out 50 mgs. Demerol on line 6 of Narcotic Record Sheet No. 22109 when, in fact, there was no physician order for Demerol for this patient.

(K) On September 28, 1996, at 2000 hours, for patient M.S., (#08-95-21) signed out two-50 mgs. Demerol on line 7 of Narcotic Record Sheet No. 22109 when, in fact, there was no physician order for Demerol for this patient.

(L) On September 28, 1996, at 2330 hours, for patient R.H., (#14-80-83) signed out two-50 mgs. Demerol on line 9 of Narcotic Record Sheet No. 22109 when, in fact, there was no physician order for Demerol for this patient.

(M) On September 28, 1996, at 2030 hours, for patient A.N., (#12-29-20) signed out two-50 mgs. Demerol on line 8 of Narcotic Record Sheet No. 2109 when, in fact, there was no physician order for Demerol for this patient.

(N) On September 29, 1996, at 0845 hours, for patient L.S., (#04-97-48) signed out two-50 mgs. Demerol on line 16 of Narcotic Record Sheet No. 22109 when, in fact, there was no physician order for Demerol for this patient.

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Respondent has subjected his license to discipline under Business and Professions Code section 2761 (f) in that on November 7, 1997, he was convicted on his plea of nolo contendere to violating Health and Safety Code section 11173 (A) (1) (obtaining a controlled substance by fraud, deceit, misrepresentation or subterfuge) in the Municipal Court of Glendale Judicial District, County of Los Angeles, Case Number 7GL03362, entitled People V. William N. Reimers, a crime substantially related to the qualifications, functions and duties of registered nurse. The circumstances of said crime were that on or about September 19, 1996, respondent obtained Demerol, a controlled substance, from a hospital supply for this own personal use, as more fully described in Finding 5.

FINDINGS  
RE  
PRIOR DISCIPLINE

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(A) On July 9, 1984, the Board of Registered Nursing revoked Registered Nurse License Number B281536, issued to respondent William Neil Reimers, then stayed the revocation and placed respondent on probation for five years under terms and conditions in proceeding No. 84-25.

(B) On January 18, 1988, the Board of Registered Nursing vacated the stay and reimposed the order of revocation, thereby revoking Registered Nurse License Number B281536, issued to respondent William Neil Reimers, in proceeding No. 85-119.

(C) On July 27, 1991, the Board of Registered Nursing denied the Petition for Reinstatement of Registered Nurse License Number B281536, issued to respondent William Neil Reimers, in proceeding No. L-53760.

(D) On April 3, 1993, the Board of Registered Nursing reinstated Registered Nurse License Number B281536, issued to respondent William Neil Reimers, on a three year probationary basis, in proceeding No. L-59438.

(E) On November 12, 1995, the Board of Registered Nursing granted the Petition for Early Termination of Probation, restoring Registered Nurse License Number B281536, issued to respondent William Neal Reimers, in proceeding No. N-9508196.

SUPPLEMENTAL FINDING

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Respondent 38 years of age is articulate, intelligent and well educated. Since the conduct set forth in 1996 respondent has made attempts to be and remain "clean and sober". He has substance-tested negative since that time and has documented same. He has undertaken other rehabilitative efforts including the following:

(A) He regularly attends meetings and counseling related to substance abuse and has documented same.

(B) He has worked with diligence, industry and competence over the last three years and has documented same. Presently is employed by the Department of Veterans Affairs at the VA Medical Center, West Los Angeles. There he is Associate Director of Mental Health

(responsible for the nursing staff). He has been rated "outstanding" by the Chief of Staff (M.D.) of the VA facility and has documented that evaluation in that facility's proficiency report.

(C) After undergoing the dissolution of his marriage he has pursued and attained responsible familial relations with his children.

(D) He is held in high regard by his peers and colleagues for trustworthiness and good character.

(E) He has been cooperative and candid with the Board during the course of the investigation and prosecution of this case.

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By his prior disciplinary history set forth in Finding 8 respondent was on express notice as to the gravity of his prior conduct leading to prior discipline. Despite that notice and the prior revocation of his license the recent conduct set forth in Finding 5 did occur. Accordingly, that combined history does constitute a pattern of drug abuse over many years. Notwithstanding Finding 9 that pattern of drug abuse does create a risk of harm to the public and does undermine the administration of the practice of nursing. Given the conduct here involved combined with the conduct leading to the past revocation of his license a sustained period and clear and convincing record of rehabilitation must be established. That which is set forth in Finding 9 is commendable and respondent is encouraged to continue his efforts in rehabilitation. However, that which is set forth in Finding 9 is but a start toward full rehabilitation and does not, yet, meet the standard of full rehabilitation.

### SPECIAL RULINGS

1

### COSTS

(A) California Business and Professions Code Section 125.3 provides with respect to any agency within the Department of Consumer Affairs that:

"...the board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable cost of the investigation and enforcement case."

It is further provided in subsection (c):

“(c) A certified copy of the actual costs, or a good faith estimate of costs where actual costs are not available signed by the entity bringing the proceeding or its designated representative shall be prima facie evidence of reasonable costs of investigation and prosecution of the case. The costs shall include the amount of investigative and enforcement costs up to the date of the hearing, including, but not limited to, charges imposed by the Attorney General.”

In accordance with the law, the Board has proffered prima facie evidence of reasonable costs of investigation and prosecution of this case supported by documentation consistent with legal requirements. By enacting Section 125.3, the legislature determined the certifications of the Board's costs are reliable enough to constitute “prima facie evidence of reasonable costs”.

(B) Consistent with said statute the Board asserts costs, as follows, supported by documentation consistent with legal requirements:

- - - - -

Investigative services from the Division of Investigation:

| <u>Fiscal</u><br><u>Year</u> | No. of<br><u>Hours</u> X | Hourly<br><u>Rate</u> | = | Total<br><u>Charge</u>       |
|------------------------------|--------------------------|-----------------------|---|------------------------------|
| 96/97                        | 14                       | \$95.00               |   | \$1,330.00                   |
| 97/98                        | 19.75                    | \$91.00               |   | \$1,797.25 <u>\$3,127.25</u> |

Deputy Attorney General's costs:

| <u>Fiscal</u><br><u>Year</u> | No. of<br><u>Hours</u> X | Hourly<br><u>Rate</u> | = | Total<br><u>Charge</u>    |
|------------------------------|--------------------------|-----------------------|---|---------------------------|
| 98/99                        | 32                       | \$100.00              |   | \$3,200 <u>\$3,200.00</u> |

Paralegal costs:

| <u>Fiscal</u><br><u>Year</u> | No. of<br><u>Hours</u> X | Hourly<br><u>Rate</u> | = | Total<br><u>Charge</u>   |
|------------------------------|--------------------------|-----------------------|---|--------------------------|
| 98/99                        | 11                       | \$53.00               |   | \$583.00 <u>\$583.00</u> |

Total costs incurred through June 30, 1999.                      \$6,910.25

(C) The case involved drug-abuse over a period of time thus necessitating a thorough investigation and the marshalling of evidence to clear and convincing standard. Given the time necessary to investigate the circumstances related thereto, the sum of \$3,127.25 is here determined to be reasonable.

(D) The case presented a number of factual and legal issues with regard all allegations of the accusation. Given the time necessary to prepare the case to present evidence to a clear and convincing standard the sum of \$3,783.00 is here determined to be reasonable sum for attorney general costs and paralegal costs.

(E) The total sum of reasonable cost is, accordingly, 6,910.25.

2

All motions are arguments not affirmed or denied herein, or on the record, are found not to be established by the facts or the law and are, accordingly, denied.

#### DETERMINATION OF ISSUES

1

Pursuant to Business and Professions Code (BPC) section 2750, the Board of Registered Nursing may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 of the Nursing Practice Act.

2

Pursuant to BPC section 125.3, the Board may request the Administrative Law Judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

3

Cause exists for discipline of respondents license pursuant to BPC section 2750 by reason of Findings/Conclusions 6, 7 and 8, separately and severally.

4

Cause exists, pursuant to BPC section 125.3, for an order of costs in the amount of \$6,910.25 by reason of Special Ruling 1.

8

The objective of an administrative proceeding relating to discipline, if any, is to protect the public; to determine whether a license holder has exercised his privilege in derogation of the public interest. Such proceedings are not for the primary purpose of punishment: *Fahmy v. MBC* (1995) 38 Cal. App. 4<sup>th</sup> 810, 817; *Ex Parte Brounsell* (1778) 2 Cowp. 829, 98 Eng. Rep. 1385. In light of the foregoing and by reason of the violations set forth in Determination 3 combined with Finding 10 the order which follows is consistent with the public interest.

ORDER

1

Registered nurse license number 281536, issued to William Neil Reimers, is hereby revoked.

2

Respondent shall pay to the Board of Registered Nursing its costs in the investigation and enforcement in the amount of \$6,910.25 within ninety (90) days of the effective date of this Decision.

Date: 28 July 1999  
RICHARD J. LOPEZ

Administrative Law Judge  
Office of Administrative Hearings

RJL:sp

1 BILL LOCKYER, Attorney General  
of the State of California  
2 ZAVEN V. SINANIAN, State Bar No. 140076  
Deputy Attorney General  
3 300 South Spring Street, Suite 500  
Los Angeles, California 90013  
4 Telephone: (213) 897-6015

5 Attorneys for Complainant

6  
7  
8 BEFORE THE  
9 BOARD OF REGISTERED NURSING  
10 DEPARTMENT OF CONSUMER AFFAIRS  
11 STATE OF CALIFORNIA

12 In the Matter of the Accusation ) NO. 99-96  
13 Against: )  
14 WILLIAM NEIL REIMERS ) ACCUSATION  
15 Registered Nurse License No. 281536 )  
16 Respondent )

17 Ruth Ann Terry, M.P.H., R.N., for causes for  
18 discipline, alleges:

19 1. Complainant Ruth Ann Terry, M.P.H., R.N., makes and  
20 files this accusation in her official capacity as Executive  
21 Officer, Board of Registered Nursing, Department of Consumer  
22 Affairs, State of California.

23 LICENSE INFORMATION

24 2. On August 31, 1977, the Board of Registered Nursing  
25 issued registered nurse license number 281536, to William Neil  
26 Reimers (hereinafter referred to as respondent). On March 31,  
27 1999, the license will expire, if not renewed.



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1 September 29, 1996, while employed as a staff nurse in the  
2 Emergency Room at Verdugo Hills Hospital, Glendale, California,  
3 he did the following:

4 a. Obtained approximately 1300 mgs. of Demerol, a  
5 controlled substance, by fraud, deceit, misrepresentation or  
6 subterfuge in violation of Health and Safety Code section  
7 11173(a)(1), by signing out 26 ampules of Demerol from the  
8 hospital supply for patients that did not have Demerol ordered by  
9 their physicians, and specifically for his own personal use.

10 b. Self-administered Demerol, a controlled substance,  
11 without lawful direction from a licensed physician and surgeon,  
12 dentist or podiatrist.

13 8. Respondent has subjected his license to discipline  
14 under Business and Professions Code section 2761(a) on the  
15 grounds of unprofessional conduct as defined in section 2762(e)  
16 of that code in that while employed as a staff nurse in the  
17 Emergency Room at Verdugo Hills Hospital, Glendale, California,  
18 he falsified entries in hospital and patient records in the  
19 following respects:

20 a. On 9-19-96, at 2315 hours, for patient E.S.,  
21 (#21-04-11) signed out two-50 mgs. Demerol on line one of  
22 Narcotic Record Sheet No. 22107 when, in fact, there was no  
23 physician order for Demerol for this patient.

24 b. On 9-20-96, at 0145 hours, for patient E.S.,  
25 (#21-04-11) signed out two-50 mgs. Demerol on line two of  
26 Narcotic Record Sheet No. 22107 when, in fact, there was no  
27 physician order for Demerol for this patient.

1 c. On 9-20-96, at 2145 hours, for patient D.R.,  
2 (#03-62-86) signed out 50 mgs. Demerol on line 7 of Narcotic  
3 Record Sheet No. 22107 when, in fact, there was no physician  
4 order for Demerol for this patient.

5 d. On 9-20-96, at 2000 hours, for patient M.B.,  
6 (#18-88-32) signed out two-50 mgs. Demerol on line 6 of Narcotic  
7 Record Sheet No. 22107 when, in fact, there was no physician  
8 order for Demerol for this patient.

9 e. On 9-21-96, at 0130 hours, for patient S.A.,  
10 (#19-98-21) signed out two-50 mgs., Demerol on line 9 of Narcotic  
11 Record Sheet No. 22107 when, in fact, there was no physician  
12 order for Demerol for this patient.

13 f. On 9-24-96, at 2130 hours, for patient G.B.,  
14 (#06-47-68) signed out two-50 mgs. Demerol on line 34 of Narcotic  
15 Record Sheet No. 22107 when, in fact, there was no physician  
16 order for Demerol for this patient.

17 g. On 9-24-96, at 0320 hours, for patient E.V.,  
18 (#21-04-98) signed out two-50 mgs. Demerol on line 26 of Narcotic  
19 Record Sheet No. 22107 when, in fact, there was no physician  
20 order for Demerol for this patient.

21 h. On 9-24-96, at 0615 hours, for patient E.V.,  
22 (#21-04-98) signed out two-50 mgs. Demerol on line 27 of Narcotic  
23 Record Sheet No. 22107 when, in fact, there was no physician  
24 order for Demerol for this patient.

25 i. On 9-28-96, at 1645 hours, for patient N.W.,  
26 (#15-47-94) signed out two-50 mgs. Demerol on line 2 of Narcotic  
27 / / /

1 Record Sheet No. 22109 when, in fact, there was no physician  
2 order for Demerol for this patient.

3 j. On 9-28-96, at 1930 hours, for patient N.W.,  
4 (#15-47-94) signed out 50 mgs. Demerol on line 6 of Narcotic  
5 Record Sheet No. 22109 when, in fact, there was no physician  
6 order for Demerol for this patient.

7 k. On 9-28-96, at 2000 hours, for patient M.S.,  
8 (#08-95-21) signed out two-50 mgs. Demerol on line 7 of Narcotic  
9 Record Sheet No. 22109 when, in fact, there was no physician  
10 order for Demerol for this patient.

11 l. On 9-28-96, at 2330 hours, for patient R.H.,  
12 (#14-80-83) signed out two-50 mgs. Demerol on line 9 of Narcotic  
13 Record Sheet No. 22109 when, in fact, there was no physician  
14 order for Demerol for this patient.

15 m. On 9-28-96, at 2030 hours, for patient A.N.,  
16 (#12-29-20) signed out two-50 mgs. Demerol on line 8 of Narcotic  
17 Record Sheet No. 22109 when, in fact, there was no physician  
18 order for Demerol for this patient.

19 n. On 9-29-96, at 0845 hours, for patient L.S.,  
20 (#04-97-48) signed out two-50 mgs. Demerol on line 16 of Narcotic  
21 Record Sheet No. 22109 when, in fact, there was no physician  
22 order for Demerol for this patient.

23 9. Respondent has subjected his license to discipline  
24 under Business and Professions Code section 2761(f) in that on  
25 November 7, 1997, he was convicted by the court on his plea of  
26 nolo contendere to violating Health and Safety Code section  
27 11173(A)(1) (obtaining a controlled substance by fraud, deceit,

1 misrepresentation or subterfuge) in the Municipal Court of  
2 Glendale Judicial District, County of Los Angeles, Case Number  
3 7GL03362, entitled People v. William N. Reimers, a crime  
4 substantially related to the qualifications, functions and duties  
5 of a registered nurse.

6 10. The circumstances of said crime were that on or  
7 about September 19, 1996, respondent obtained Demerol, a  
8 controlled substance, from a hospital supply for his own personal  
9 use, as more fully described in paragraph 7.

10 OTHER MATTERS

11 11. In order to determine the degree of penalty to be  
12 imposed, if any, complainant alleges the following:

13 a. On July 9, 1984, the Board of Registered Nursing  
14 revoked Registered Nurse License Number B281536, issued to  
15 respondent William Neil Reimers, then stayed the revocation and  
16 placed respondent on probation for five years under terms and  
17 conditions in proceeding No. 84-25.

18 b. On January 18, 1988, the Board of Registered  
19 Nursing vacated the stay and reimposed the order of revocation,  
20 thereby revoking Registered Nurse License Number B281536, issued  
21 to respondent William Neil Reimers, in proceeding No. 85-119.

22 c. On July 27, 1991, the Board of Registered Nursing  
23 denied the Petition for Reinstatement of Registered Nurse License  
24 Number B281536, issued to respondent William Neil Reimers, in  
25 proceeding No. L-53760.

26 d. On April 3, 1993, the Board of Registered Nursing  
27 reinstated Registered Nurse License Number B281536, issued to

1 respondent William Neil Reimers, on a three year probationary  
2 basis, in proceeding No. L-59438.

3 e. On November 12, 1995, the Board of Registered  
4 Nursing granted the Petition for Early Termination of Probation,  
5 restoring Registered Nurse License Number B281536, issued to  
6 respondent William Neil Reimers, in proceeding No. N-9508196.

7 PRAYER


8 WHEREFORE, complainant prays that a hearing be held and  
9 that the Board of Registered Nursing make an order:

10 1. Revoking or suspending registered nurse license  
11 number 281536, issued to William Neil Reimers.

12 2. Ordering respondent to pay to the Board of  
13 Registered Nursing its costs in the investigation and enforcement  
14 of the case according to proof at the hearing pursuant to  
15 Business and Professions Code section 125.3.

16 3. Taking such other and further action as may be  
17 deemed proper and appropriate.

18 DATED: 2/18/99

19  
20  
21   
22 RUTH ANN TERRY, M.P.H., R.N.  
23 Executive Officer  
24 Board of Registered Nursing  
25 Department of Consumer Affairs  
26 State of California

27 Complainant

26 03579110-  
27 LA98AD1703  
10-22-98 (jo)

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Petition of: )

William N. Reimers, )

OAH NO. N-9508196

Petitioner. )  
\_\_\_\_\_ )

DECISION

On September 14, 1995, in Sacramento, California, a quorum of the Board of Registered Nursing, Department of Consumer Affairs, State of California, with Genevieve D.R. Deutsch, RNC, OGNP, President, heard this matter. M. Amanda Behe, Administrative Law Judge, Office of Administrative Hearings presided.

Kent Harris, Deputy Attorney General, represented the Attorney General of the State of California.

Petitioner appeared in propria persona.

Evidence was received, the record was closed and the matter was submitted and considered in a closed Executive Session of the Board.

FINDINGS OF FACT

I

In 1977 William N. Reimers (hereinafter "petitioner") was issued license number B281536 to practice as a Registered Nurse by the Board of Registered Nursing ("the Board"), Department of Consumer Affairs, State of California.

## II

On July 9, 1984, petitioner's license was revoked in a Default Decision of the Board for illegally obtaining controlled substances for his own use. That revocation was stayed and petitioner was placed on five years probations on various terms and conditions. Effective January 18, 1988, petitioner's probation was terminated and his license was revoked for self-administration of controlled substances.

## III

On July 27, 1991, petitioner's first Petition For Reinstatement was denied for failure to document successful efforts at rehabilitation including attendance at support group meetings, random drug testing and completion of education.

On April 3, 1993, petitioner's second Petition For Reinstatement was granted and his license was restored on three years probation on various terms and conditions. Petitioner had satisfactorily established that he successfully participated in a nurse support group and random drug testing, and completed extensive continuing education.

Petitioner's present Petition for Reduction of Probation was filed because he and his wife want to relocate to Nevada, and want to first resolve his probationary status.

## IV

Petitioner continues to participate as a recovering nurse in the Antelope Valley Nurse Support Group. The letters of group members submitted as part of this Petition demonstrate his commitment to sobriety and assistance to others in recovery. His random drug screens have all been negative. Petitioner has provided documentation during probation of his attendance at two Alcoholics Anonymous meetings per week, one nurse support group meeting per week, and one relapse prevention meeting per month at the Veteran's Administration.

Petitioner is a triage nurse at Garfield Medical Center Emergency Room, and his evaluations indicate he is skilled and dedicated clinical nurse. Due to his successful performance the level of supervision was modified from maximum or moderate effective September 8, 1994. His Petition included letters attesting to his clinical skills. Petitioner has completed additional continuing education classes included courses in Legalities of Nursing and Pediatric Advanced Life Support.



DETERMINATION OF ISSUES

Petitioner has the burden of proof and did establish by a preponderance of the evidence that the Petition should be granted.


ORDER

The Petition For Early Termination of Probation is granted and the license of William N. Reimers is restored.

This decision becomes effective November 12, 1995.

DATED October 13, 1995.

BOARD OF REGISTERED NURSING

  
Genevieve D.R. Deutsch, RNC, OGNP  
Board President

EXHIBIT

In the Matter of the Petition )  
for Reinstatement of: )  
 ) NO. L-59438  
WILLIAM NEIL REIMERS, )  
 )  
Petitioner. )  
 )

This matter came on regularly for hearing before a quorum of the Board of Registered Nursing of the State of California, at Los Angeles, California, on February 4, 1993, at 1:00 p.m. Robert A. Neher, Administrative Law Judge of the Office of Administrative Hearings, presided at the hearing. Sharon F. Derkum, Deputy Attorney General, represented the Attorney General. The petitioner appeared in person and represented himself. Oral and documentary evidence was introduced and the case submitted. The Board finds the following facts:

Effective July 9, 1984, in case number 84-25, the Board revoked petitioner's license for illegally obtaining controlled substances for self use. The revocation was stayed and petitioner placed on probation for five (5) years under specified terms and conditions.

Effective January 18, 1988, in case number 85-119, the Board pursuant to stipulation and waiver, terminated petitioner's probation and revoked his license for similar violations of law and for violating his probation.

In November of 1990, petitioner filed a petition for reinstatement of his license. Effective July 27, 1991, the Board after hearing in case number L-53760 denied said petition. Said denial was the result of petitioner's failure to document all successful efforts of rehabilitation including attendance at support group meetings, random drug testing and completion of nursing education courses.

IV

In September of 1992, petitioner filed a petition for reinstatement of his license and the same is presently pending.

V

Petitioner's evidence shows that since his last hearing he has continued to make progress in his rehabilitation. He has completed and documented 57 hours of continuing education, including courses in Psycho Neuro Immunology, basic electrocardiograms, and emergency cardiac drugs. He continues to participate in (and documented) his psychotherapy progress, random drug testing, and participation in a nurse support group.

VI

Petitioner's evidence shows that he is sufficiently rehabilitated, at this time, that his license can be reinstated on a probationary basis.

\* \* \* \* \*

Pursuant to the foregoing findings of fact, the Board makes the following determination of issues:

Respondent has made a satisfactory showing that with due consideration for the public safety it would not be contrary to the public interest to reinstate respondent's license as a registered nurse on a probationary basis and subject to certain terms and conditions.

\* \* \* \* \*

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The petition of respondent William Neil Reimers for the reinstatement of his certificate and license as a registered nurse in the State of California is hereby granted; provided, however, said license is reinstated on a probationary basis for a period of three (3) years from the effective date of this decision and subject to the following terms and conditions:

1. Respondent shall obey all federal, state and local laws, and all rules, and regulations of the Board of Registered Nursing governing the practice of nursing in California. A full and detailed account of any and all violations of law shall be reported by the respondent to the Board in writing within seventy-two (72) hours of occurrence.

2. Respondent shall fully comply with the terms and conditions of the Probation Program established by the Board and cooperate with representatives of the Board in the monitoring and investigation of the respondent's compliance with the Program.

3. Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.

4. Periods of residency or practice outside of California will not apply to the reduction of this probationary term. The respondent must provide written notice to the Board within 15 days of any change of residency or practice outside the State.

5. Respondent, during the period of probation, shall submit such written reports/declarations and verification of actions under penalty of perjury as are required. These declarations shall contain statements relative to respondent's compliance with all the terms and conditions of the Board's Probation Program. Respondent shall immediately execute all release of information forms as may be required by the Board or its representatives.

6. Respondent, during the period of probation, shall engage in the practice of professional nursing in California for a minimum of 24 hours per week (or as determined by the Board) for 6 consecutive months. Per Section 2732 of the Business and Professions Code, no person shall engage in the practice of registered nursing without holding a license which is in an active status.

7. The Board shall be informed of and approve of each agency for which the respondent provides nursing services prior to respondent's commencement of work. The respondent shall inform his employer of the reason for and the terms and conditions of probation and shall provide a copy of the Board's decision and order to his employer and immediate supervisor. The employer shall submit performance evaluations and other reports as requested by the Board. Respondent is also required to notify the Board in writing within seventy-two (72) hours after termination of any nursing employment. Any notification of termination shall contain a full explanation of the circumstances surrounding it.

8. The Board shall be informed of and approve of the level of supervision provided to the respondent while he is functioning as a registered nurse. The appropriate level of supervision must be approved by the Board prior to commencement of work. Respondent shall practice only under the direct

supervision of a registered nurse in good standing (no current discipline) with the Board of Registered Nursing.

9. Respondent may not work for a nurse registry; temporary nurse agency; home care agency; in-house nursing pool; as a nursing supervisor; as a faculty member in an approved school of nursing; or as an instructor in a Board approved continuing education program. Respondent must work only on regularly assigned, identified and predetermined worksites with appropriate supervision as approved by the Board.

10. Respondent at his expense, shall begin and successfully complete such courses in nursing as directed by the Board prior to engaging in the practice of nursing and prior to the end of the probationary term.

The respondent may be suspended from practicing nursing until the necessary course-work is completed. The content of such courses and the place and conditions of instruction shall be specified by Board representatives at the time of the initial probation meeting based on the nature of the violations. Specific courses must be approved prior to enrollment. The respondent must submit written proof of enrollment and proof of successful completion. Transcripts or certificates of completion must be mailed directly to the Board by the agency or entity instructing the respondent .

Home study or correspondence courses are not acceptable and will not be approved.

11. Respondent, at his expense, within 45 days of the effective date of this decision, shall have a licensed physician submit, in a format acceptable to the Board, an assessment of the respondent's physical condition and capability to perform the duties of a professional registered nurse. If medically determined, a recommended treatment program will be instituted and followed by the respondent with the physician providing written reports to the Board on forms provided by the Board.

12. Respondent, at his expense, shall successfully complete or shall have successfully completed a treatment/rehabilitation program of at least six months duration which the Board approves. Reports shall be submitted by the program on forms provided by the Board. If respondent has not completed a treatment program prior to commencement of probation, the respondent, within a reasonable period of time as determined by the Board (but not exceeding 45 days from the effective date of the decision) shall be enrolled in a treatment program. If a treatment program is not successfully completed within the first nine months of probation, the Board will consider the respondent to be in violation of probation and will initiate further disciplinary action against the respondent's license.

In addition, respondent must attend two 12-step recovery meetings per week (e.g., Narcotics Anonymous, Alcoholic Anonymous, etc.) and a nurse support group as directed by the Board. If a nurse support group is not available, an additional 12-step meeting must be added. Respondent must submit dated and signed documentation confirming such attendance to the Board during the entire period of probation.

13. Respondent shall completely abstain from the possession, injection or consumption by any route of all psychotropic (mood altering) drugs, including alcohol, except when the same are lawfully prescribed by a licensed physician or dentist as part of documented medical treatment. Respondent shall have sent to the Board, in writing and within fourteen (14) days, by the prescribing physician or dentist, a report identifying the medication, dosage, the date the medication was prescribed, the respondent's prognosis, and the date the medication will no longer be required.

14. Respondent, at his expense, shall participate in a random, biological fluid testing or a drug screening program which the Board approves. The length of time and frequency will be subject to approval by the Board. The respondent is responsible for ensuring that reports are submitted directly by the testing agency to the Board, as directed. Any confirmed positive finding shall be reported immediately to the Board by the program and the respondent will be considered in violation of probation.

In addition, respondent, at any time during the period of probation shall fully cooperate with the Board or any of its representatives, and shall, when requested, submit to such tests and samples as the Board or its representatives may require for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or other controlled substances.

15. The respondent shall, within 45 days of the effective date of this decision, have a mental health examination including psychological testing as appropriate to determine his capability to perform the duties of a registered nurse. The examination will be performed by a psychiatrist, psychologist or other licensed mental health practitioner approved by the Board. The examining mental health practitioner will submit a written report of that assessment and the recommendations to the Board. All costs are the responsibility of the respondent. Recommendations for treatment, therapy or counseling made as a result of the mental health examination will be instituted and followed by the respondent.

16. Respondent, at his expense, shall participate in an on-going counseling program until such time as the Board releases him from this requirement and only upon the recommendation of the

counselor. Written progress reports from the counselor will be required at various intervals

Upon full compliance with the terms and conditions herein set forth and upon the expiration of the probationary period, the license shall be restored to its full privileges; provided, however, that in the event respondent violates or fails to comply with any of the terms and conditions hereof, the Board of Registered Nursing, after notice to respondent and opportunity to be heard, may terminate this probation and reinstitute the prior revocation or make such other order modifying the terms of probation herein as it deems just and reasonable in its discretion.

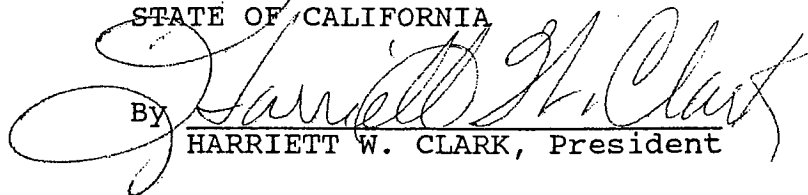
If during the period of probation, an accusation has been filed against respondent's license or the Attorney General's Office has been requested to prepare an accusation against respondent's license, the probation period shall automatically be extended and shall not expire until the accusation has been acted upon by the Board.

This Decision shall become effective on the third day of April, 1993.

IT IS SO ORDERED this third day of March, 1993.

BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

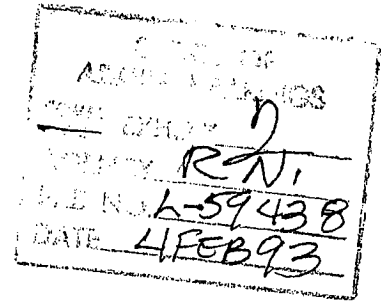
By



HARRIETT W. CLARK, President

RAN:mh

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



In the Matter of the Petition for  
Reinstatement of a Revoked License  
of:

WILLIAM NEIL REIMERS,

Petitioner.

NO. L-53760

DECISION

This matter came on regularly for hearing before a quorum of the Board of Registered Nursing with David B. Rosenman, Administrative Law Judge of the Office of Administrative Hearings, presiding at San Diego, California, on May 23, 1991. Samuel K. Hammond, Deputy Attorney General, was present pursuant to Government Code section 11522. William Neil Reimers ("Petitioner") appeared personally represented himself. Oral and documentary evidence was received and the matter was submitted.

FINDINGS OF FACT

The Board finds the following facts:

I

By a Decision effective July 9, 1984, the Board revoked license no. B-281536, which the Board had previously issued to petitioner. The revocation was stayed and petitioner was placed on probation for three years under specified terms and conditions.

The Board's Decision was based on petitioner's unprofessional conduct during 1983 when petitioner improperly and unlawfully logged and charted his handling of Demerol and morphine sulfate, controlled substances, for numerous patients.

By a Stipulation, Order and Waiver effective January 18, 1988, the stay was vacated and petitioner's license was revoked, based upon petitioner's violation of the conditions of his probation by his (1) unprofessional conduct during 1984 and 1986 when petitioner unlawfully logged and charted his handling of Demerol for numerous patients and unlawfully possessed and self administered Demerol, a controlled substance, and (2) gross negligence in treating a specified patient in 1987.



## II

On November 6, 1990, petitioner filed the instant petition requesting reinstatement of his license.

## III

Petitioner has made progress towards rehabilitation and has participated periodically from 1986 to the present in individual psychiatric counseling relating to his chemical dependency problem. He has recently undertaken a program of random urine testing.

Petitioner has formed his own marketing and administrative consulting business directed at the medical community.

Respondent has completed two courses on substance abuse and alcoholism, and has completed three continuing education course related to nursing.

## IV

The evidence established that petitioner's progress in rehabilitation, in light of petitioner's history of substance abuse, is not yet sufficient to justify his reinstatement. Petitioner did not establish that it would be consistent with the public interest to grant the petition at this time.

The Board recommends that petitioner fully document all successful efforts of rehabilitation including, but not necessarily limited to, attendance at support group meetings, completion of continuing education courses related to nursing, and random drug testing.

## DETERMINATION OF ISSUES

Pursuant to the foregoing findings of fact, the Board makes the following determination of issues:

Cause does not exist pursuant to Business and Professions Code section 2760 and Government Code section 11522, with due consideration for the public safety, to reinstate petitioner's license as a registered nurse at this time.


ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The petition of William N. Reimers for reinstatement of his license as a registered nurse is hereby denied.

This Decision shall be effective July 27, 1991.

DATED: June 26, 1991.

  
\_\_\_\_\_  
JOYCE BOONE, R.N.  
President  
Board of Registered Nursing

DBR:mh

1 JOHN K. VAN DE KAMP, Attorney General  
of the State of California  
2 BARRY D. COLTON,  
Deputy Attorney General  
3 3580 Wilshire Boulevard  
Los Angeles, California 90010  
4 Telephone: (213) 736-2076  
5 Attorneys for Complainant  
6  
7

8 BEFORE THE  
9 BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
10 STATE OF CALIFORNIA

|                                    |   |                    |
|------------------------------------|---|--------------------|
| 11 In the Matter of the Accusation | ) | NO. 85-119         |
| 12 Against:                        | ) |                    |
| 13 WILLIAM NEIL REIMERS            | ) | STIPULATION, ORDER |
| 27904 Caraway Lane                 | ) | AND ORDER          |
| 14 Saugus, CA 91350                | ) |                    |
| Registered Nurse License           | ) |                    |
| 15 No. B-281536,                   | ) |                    |
| Respondent.                        | ) |                    |
| 16                                 | ) |                    |

17 IT IS HEREBY STIPULATED, by and between the parties to  
18 the above entitled matter that the following is true:  
19 1. The accusation and supplemental accusation in case  
20 number 85-119 are presently pending against William Neil Reimers  
21 (hereinafter referred to as "respondent"). True and correct  
22 copies of said accusation and supplemental accusation are  
23 attached hereto as exhibit "A" and are incorporated by reference  
24 at this place as if set forth in full.  
25 2. Respondent has retained Robert L. Sills, Esq. as his  
26 attorney of record in this matter.  
27

1           3. Respondent has read the charges and allegations  
2 contained in the accusation and supplemental accusation.

3           4. Respondent is fully aware of his right to a hearing  
4 on the charges and allegations contained in the accusations and  
5 supplemental accusations, his right to reconsideration, appeal  
6 and any and all other rights which may be accorded him pursuant  
7 to the California Administrative Procedure Act and the Code of  
8 Civil Procedure.

9           5. Respondent hereby freely and voluntarily waives his  
10 right to a hearing, reconsideration, appeal, and any and all  
11 other rights which may be accorded him by the California  
12 Administrative Procedure Act and the Code of Civil Procedure  
13 with regard to the accusation and supplemental accusation.

14           6. Respondent voluntarily admits the truth of the  
15 charges and allegations contained in paragraph 5 of the  
16 accusation and paragraph 8 of the supplemental accusation  
17 knowing that by said voluntary admission his license number  
18 B281536 is subject to revocation by the board.

19           7. Pursuant to the admission of the above facts, cause  
20 for disciplinary action against the respondent exists pursuant  
21 to the provisions of section 2761(a), 2762(e), and 2761(f) of  
22 the Business and Professions Code.

23           8. Pursuant to the admissions of the above facts,  
24 grounds exist to vacate the stay heretofore entered in Board of  
25 Registered Nursing Case number 84-25 and to reimpose the order  
26 of revocation against said respondent.

1 9. WHEREFORE, IT IS STIPULATED that the Board of  
2 Registered Nursing may issue the following decision and order:

3 Registered nurse license number B-281536 issued to  
4 S. William Neil Reimers is hereby revoked.

5 (a) That if this stipulation is not accepted by the  
6 Board of Registered Nursing in its entirety, it shall be  
7 withdrawn by the parties and have no effect whatsoever.

8 I have read and discussed the above stipulation and  
9 order. I fully understand the terms and conditions of the above  
10 stipulation and order, and I hereby consent to and accept the  
11 stipulation and order set forth hereinabove.

12  
13 DATED: 10/17/87

William Neil Reimers  
WILLIAM NEIL REIMERS  
Respondent

14  
15  
16 DATED: 10/21/87

Robert L. Sills  
ROBERT L. SILLS  
Attorney for Respondent

17  
18  
19 DATED: Oct 28, 1987

Barry D. Colton  
BARRY D. COLTON  
Deputy Attorney General  
Attorney for Complainant

20  
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23 /

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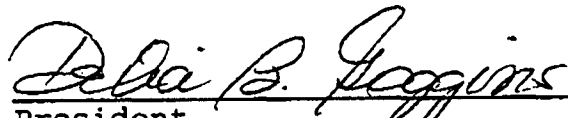
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DECISION

The Board of Registered Nursing hereby adopts the foregoing stipulation as its decision in this matter. This decision shall be effective on the 18th day of January 1988.

DATED: December 17, 1987. BOARD OF REGISTERED NURSING

  
President  
Board of Registered Nursing

BDC:eyg  
03579110-LA84AD2277  
a:@wreimers.bdc

EXHIBIT "A"

1 JOHN K. VAN DE KAMP, Attorney General  
2 of the State of California  
3 BARRY D. COLTON,  
4 Deputy Attorney General  
5 3580 Wilshire Boulevard  
6 Los Angeles, California 90010  
7 Telephone: (213) 736-2076

8 Attorneys for Complainant

9 BEFORE THE  
10 BOARD OF REGISTERED NURSING  
11 DEPARTMENT OF CONSUMER AFFAIRS  
12 STATE OF CALIFORNIA

13 In the Matter of the Accusation ) NO 85-119  
14 Against: )  
15 )  
16 WILLIAM NEIL REIMERS ) SECOND SUPPLEMENTAL  
17 27904 Caraway Lane ) ACCUSATION AND  
18 Saugus, CA 91350 ) PETITION TO VACATE  
19 Registered Nurse License ) STAY  
20 No. B-281536, )  
21 Respondent. )

22 Catherine M. Puri, R.N., Ph.D., for causes for  
23 discipline, alleges:

24 11. Complainant Catherine M. Puri, R.N., Ph.D., makes  
25 and files this Second Supplemental Accusation and Petition to  
26 Vacate Stay in her official capacity as Executive Officer, Board  
27 of Registered Nursing, Department of Consumer Affairs.

12. Respondent has subjected his license to discipline  
under Business and Professions Code section 2761(a) on the  
grounds of unprofessional conduct as defined in section  
2761(a)(1) of the Business and Professions Code in that  
respondent has committed acts or omissions which constitute gross





1 negligence in carrying out usual nursing functions; as more  
2 particularly alleged as follows:

3 A. On or about July 24, 1986, respondent was employed as a  
4 registered nurse at Motion Picture and Television Hospital, 23450  
5 Calabassas Road, Woodland Hills, California.

6 Patient F.D.

7 (1) On or about December 12, 1985, patient F.  
8 D., diagnosed as a brittle diabetic requiring insulin,  
9 was admitted to Motion Picture and Television Hospital.

10 (2) From on or about January 3, 1986, standing  
11 physician's orders for the care of said patient  
12 included an order that patient was not to receive any  
13 insulin after dinner until the next morning in that  
14 insulin NPH is a long acting insulin and is normally  
15 not given at night because a patient, in this case a  
16 brittle diabetic, can go into insulin shock and could  
17 be fatal.

18 (3) On or about July 22, 1986, physician Timothy  
19 Le Fevie, M.D., issued a sliding scale insulin order  
20 for patient F.D.

21 (a) 4 units NPH if blood sugar was 120  
22 mg./dl. or less.

23 (b) 6 units NPH if blood sugar was 180-240  
24 mg/dl.

25 (c) 8 units NPH if blood sugar was over 240  
26 mg/dl.

1 (4) On or about July 23, 1987, Geraldine  
2 Somich, M.D., a consulting endocrinologist, wrote a  
3 further sliding order for a sliding scale insulin for  
4 "P.M." of

5 (a) 4 units NPH if blood sugar is 120-180  
6 mg./dl.

7 (b) 6 units NPH if blood sugar is 180-240  
8 mg./dl.

9 (c) 8 units NPH if blood sugar is 240-280  
10 mg./dl.

11 (d) 10 units NPH if blood sugar is 280-300  
12 mg./dl.

13 (e) Notify if blood sugar is over 300  
14 mg./dl.

15 (5) On or about July 24, 1987, patient F.D.'s  
16 blood sugar was 90 mg./dl. at or about 5 p.m. and said  
17 patient's insulin was withheld by the attending LVN as  
18 per Dr. Somich's July 23, 1987 order. Thereafter, the  
19 patient became upset and the LVN reported the matter to  
20 her supervisor RN, the respondent.

21 (6) At or about 9:30 p.m. on July 24, 1987,  
22 respondent spoke to Dr. Somich by telephone requesting  
23 a clarification of the sliding scale insulin orders of  
24 July 24, 1987, as to what dosage of insulin  
25 should be used if the patient's blood sugar was 240  
26 mg./dl. At that time Dr. Somich indicated that 6  
27 units of NPH was the correct dosage for 180 to and

1 including 240 mg./dl. and 8 units of NPH was for blood  
2 sugar over 240 mg./dl. Respondent failed to inform Dr.  
3 Somich that he intended to order administration of  
4 insulin NPH to said patient at that time and contrary  
5 to standing orders not to administer insulin after  
6 dinner and further failed to obtain clarification from  
7 Dr. Somich as to whether insulin NPH should be used or  
8 whether it should be administered at that hour.

9 (7) At or about 10:15 p.m. on July 24, 1987, the  
10 attending LVN's nursing notes for patient F.D.  
11 indicated that she informed respondent that said  
12 patient's blood sugar was 240 mg./dl. and was  
13 instructed by respondent to administer insulin to said  
14 patient. Respondent failed to insure that 6 units of  
15 NPH was administered and in fact 8 units of NPH was  
16 administered at or about 10:30 p.m. to said patient.

17 (8) Respondent failed to document his  
18 conversation with Dr. Somich on July 24, 1987, on  
19 patient F.D.'s hospital records until on or about July  
20 29, 1987, at the direction of Audrey O'Donnell, R.N.,  
21 Director of Nursing at Motion Picture and Television  
22 Hospital.

23 (9) Respondent failed on July 24, 1987, at the  
24 end of his shift, to inform the on coming shift nurse  
25 of the late insulin administration of NPH to patient  
26 F.D. and failed to ensure that said patient be  
27

monitored for possible [illegible] from said late insulin administration.

(10) Said acts and omissions to act by the respondent in his care for patient F.D. on July 24, 1987, was a substantial departure from the standard of care expected of a registered nurse and as such constituted gross negligence within the meaning of section 1442 of title 16 of the California Administrative Code and unprofessional conduct as defined by section 2761(a) of the Business and Professions Code.

13. Respondent has subjected his license to discipline under Business and Professions Code section 2761(a) on the grounds of unprofessional conduct as defined in section 2762(a) of that code, in that while employed at Motion Picture and Television Hospital, Calabassas, California, as a registered nurse, he committed the following:

A. On or about August 8, 1986, while on duty at said hospital as a supervising nurse, respondent obtained demerol by misrepresenting on hospital drug records that said demerol had been wasted when in fact he administered it to himself.

14. Respondent has subjected his license to discipline under Business and Professions Code section 2761(a) on the grounds of unprofessional conduct as defined in section 2762(b) of said code, in that on or about August 8, 1986, while on duty as a registered nurse at Motion Picture and Television Hospital,

1 Calabassas, California, respondent used a controlled substance  
2 and dangerous drug, demerol to an extent that such use impaired  
3 his ability to conduct with safety to the public the practice  
4 authorized by his license, in that on or about August 8, 1986,  
5 while on duty as a supervising nurse, respondent obtained and  
6 administered to himself approximately 200 mg. of demerol at or  
7 about 6:30 p.m. after which time respondent conducted himself on  
8 duty in a confused manner and fell asleep while on duty while  
9 under the influence of self administered demerol.

10 15. Respondent has subjected his license to discipline  
11 under Business and Professions Code section 2761(a) on the  
12 grounds of unprofessional conduct as defined in section 2762(e)  
13 of said code, in that on or about August 8, 1986, respondent  
14 falsified hospital narcotic records by recording the wastage of  
15 200 mg. of demerol when in fact respondent had administered said  
16 demerol to himself.

#### 17 PETITION TO VACATE STAY

18 1. The allegations of paragraphs 12 through 14 of the  
19 Second Supplemental Accusation are incorporated herein by  
20 reference and are realleged as if fully set forth.

21 2. On August 9, 1984, the Board of Registered Nursing  
22 in a proceeding number 84-25, revoked registered nurse license  
23 number B 281536, issued to William Neil Reimers, then stayed the  
24 revocation for five years under conditions. One condition of the  
25 stay was that respondent obey all the laws of the United States,  
26 State of California, and all rules and regulations and laws  
27 pertaining to the practice of nursing in this state. Another

1 condition was that respondent completely abstain from the  
2 personal use of narcotics, hypnotics, controlled substances or  
3 dangerous drugs, in any form, except when a bona fide patient of  
4 a licensed physician and when the same are lawfully prescribed.  
5 A copy of that decision is attached as exhibit A and incorporated  
6 herein by reference.

7 3. Another condition of respondent's probation  
8 required that the board be informed of and approve of the type of  
9 supervision provided while the respondent is functioning as a  
10 registered nurse and respondent failed to inform the board of his  
11 employment of Motion Picture and Television Hospital and obtain  
12 approval of his position as a supervising nurse.

13 4. Grounds exist for violating the stay heretofore  
14 entered and reimposing the order of revocation in that William  
15 Neil Reimers has failed to obey all the laws and rules of the  
16 State of California, and its political subdivisions and all rules  
17 and regulations pertaining to the practice of nursing in this  
18 state and that respondent has failed to abstain from the illegal  
19 personal use of controlled substances as alleged in paragraphs 1  
20 through 6 of the accusation.

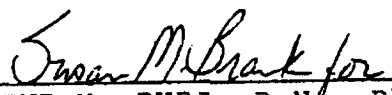
21 WHEREFORE, complainant prays a hearing be had and that  
22 the Board of Registered Nursing make its order:

23 1. Revoking or suspending registered nurse license  
24 number B 281536, issued to William Neil Reimers.

25 2. Vacating the stay and reimposing the order of  
26 revocation of license number B 281536, issued to William Neil  
27 Reimers.

1 3. Taking such other and further action as may be  
2 deemed proper and appropriate.

3 DATED: September 30, 1987.

4  
5   
6 CATHERINE M. PURI, R.N., Ph.D.  
7 Executive Officer  
8 Board of Registered Nursing  
9 State of California

10 Complainant

11 BDC:eyg  
12 03579110-LA94AD2277  
13 7-31-87  
14 a:reimers.bdc  
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1 JOHN K. VAN DE KAMP, Attorney General  
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2 BARRY D. COLTON,  
Deputy Attorney General  
3 3580 Wilshire Boulevard  
Los Angeles, California 90010  
4 Telephone: (213) 736-2076

5 Attorneys for Complainant  
6  
7

8 BEFORE THE  
BOARD OF REGISTERED NURSING  
9 DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA  
10

|                                      |                         |
|--------------------------------------|-------------------------|
| 11 In the Matter of the Accusation ) | NO. 85-119              |
| Against: )                           |                         |
| 12 )                                 | SUPPLEMENTAL ACCUSATION |
| WILLIAM NEIL REIMERS )               | AND PETITION TO VACATE  |
| 27904 Caraway Lane )                 | STAY                    |
| 13 Saugus, CA 91350 )                |                         |
| Registered Nurse License )           |                         |
| 14 No. E-281536, )                   |                         |
| 15 )                                 |                         |
| Respondent. )                        |                         |
| 16 )                                 |                         |

17 Catherine M. Puri, R.N., Ph.D., for causes for  
18 discipline, alleges:

19 7. Complainant Catherine M. Puri, R.N., Ph.D., makes  
20 and files this supplemental accusation and petition to vacate  
21 stay in her official capacity as Executive Officer, Board of  
22 Registered Nursing, Department of Consumer Affairs.

23 8. Respondent has subjected his license to discipline  
24 under Business and Professions Code section 2761(a) on the  
25 grounds of unprofessional conduct as defined in section 2761(f)  
26 in that said respondent has been convicted of a crime which is  
27 substantially related to his qualifications, functions and duties



1 as a registered nurse; as more particularly alleged as follows:

2 A. On or about June 3, 1985, in the Municipal Court  
3 of Newhall Judicial District, County of Los Angeles,  
4 State of California, in a case entitled "The People of  
5 the State of California v. William Neil Reimers," Case  
6 No. N 14426, respondent was convicted of violating  
7 section 11173(a) of the Health and Safety Code  
8 (obtaining or attempting to obtain a controlled  
9 substance by fraud, deceit, misrepresentation,  
10 subterfuge and by the concealment of a material fact)  
11 pursuant to a plea of nolo contendere. As a result of  
12 said conviction, respondent was sentenced to 180 days in  
13 the Los Angeles County jail. However, imposition of  
14 sentence was suspended and respondent was placed on  
15 three years probation as stated terms and conditions.

16 B. The circumstances of the criminal offense were  
17 the facts alleged in the accusation in paragraphs 5 and  
18 6, and said criminal offense was substantially related  
19 to respondent's qualifications, functions, and duties as  
20 a registered nurse.

21 C. Respondent has subjected his license to discipline  
22 under Business and Professions Code section 2761(a) on the  
23 grounds of unprofessional conduct, as defined in section 2762(e)  
24 of the code, in that while on duty at UCLA Medical Center, Los  
25 Angeles, he made false, grossly incorrect, grossly inconsistent,  
26 and unintelligible entries in hospital and patient records pertain-  
27 ing to Demerol, a controlled substance, in the following respect:

1           A. During the period of June and July 1985,  
2 respondent was employed at UCLA Medical Center,  
3 Los Angeles, California, as a registered nurse.

4                   Patient Eric Andersen

5           (1) Physician's orders for the above patient dated  
6 July 3, 1985, ordered 10-35 mg. of Demerol every three  
7 hours as needed for pain.

8           (2) Drug records reflect that respondent signed  
9 out 100 mg. of Demerol at 8:30 a.m. on July 4, 1985, for  
10 said patient when 50 mg. dosages were available, and  
11 thereafter wasted 65 mg.

12           (3) Drug records reflect that respondent signed  
13 out 100 mg. of Demerol for said patient at 11:30 a.m.  
14 on July 4, 1985, which records indicate that the patient  
15 refused said dosage and 100 mg. was wasted. At all  
16 times 50 mg. dosages were available.

17           (4) Drug records reflect that respondent signed  
18 out 100 mg. of Demerol for said patient at 1:20 p.m. on  
19 July 4, 1985, and wasted 65 mg. of said dosage. At all  
20 times 50 mg. dosages were available.

21           (5) The patient's medication record for July 4,  
22 1985, fails to reflect that respondent medicated said  
23 patient at the times indicated in the drug records.

24           (6) The patient's nursing notes for July 4, 1985,  
25 fail to reflect that the patient was medicated by  
26 respondent at the times indicated in the drug records.

Patient Bret Larsen

(1) There were no physician's orders for Demerol for said patient.

(2) Drug records reflect that respondent signed out 40 mg. and 100 mg. of Demerol, both at 8:45 a.m. on July 22, 1985, for said patient. Said records indicate that 60 mg. was wasted and 100 mg. dropped on the floor.

(3) Drug records reflect that respondent signed out 40 mg. of Demerol for said patient at 11:45 a.m. on June 22, 1985, and thereafter wasted 60 mg. of Demerol.

(4) Drug records reflect that respondent signed out 40 mg. of Demerol for said patient at 2:45 p.m. on June 22, 1985, and thereafter wasted 60 mg. of Demerol.

(5) Drug records reflect that respondent signed 100 mg. of Demerol on June 22, 1985, with no time indicated, for said patient and wasted 100 mg. of Demerol at the end of shift.

(6) The patient's medication record and nursing notes do not indicate that respondent medicated this patient with Demerol on June 22, 1985.

(7) The physician's orders at 9:10 a.m. and the nursing notes at 8 a.m. on June 22, 1985, indicate that the patient is ready to be discharged from the hospital as soon as possible.

Patient Courtney Carlisle

(1) Physician's orders for said patient dated July 1, 1985, ordered a 70 mg. dosages of Demerol at

1 6:30 a.m. on July 2, 1985, as a pre-op.

2 (2) Drug records reflect that respondent signed  
3 out 100 mg. of Demerol for said patient at 6:30 a.m. on  
4 July 2, 1985, and wasted 100 mg. At all times 50 mg.  
5 dosages of Demerol were available.

6 (3) Drug records reflect that respondent signed  
7 out 100 mg. of Demerol for said patient at 6 a.m. on  
8 July 2, 1985, and wasted 100 mg. of Demerol. At all  
9 times 50 mg. dosages of Demerol was available.

10 (4) Drug records reflect that respondent signed out  
11 100 mg. of Demerol for said patient at 6:45 a.m. on July  
12 2, 1985, and wasted 80 mg. of Demerol. At all times 50  
13 mg. dosages of Demerol were available.

14 (5) Drug records indicate that respondent dropped  
15 two 100 mg. ampules of Demerol while attempting to sign  
16 out more Demerol for this patient on July 2, 1985, no  
17 time indicated 200 mg. of Demerol noted as wasted.

18 (6) The medication record for said patient  
19 indicates that respondent administered 20 mg. of Demerol  
20 at 6:30 a.m. on July 2, 1985.

21 10. On or about June 27, 1985, respondent was tested by  
22 the Van Nuys Probation Office for use of drugs pursuant to the  
23 conditions of his criminal probation and tested positive for  
24 morphine.

25 PETITION TO VACATE STAY

26 1. The allegations of paragraphs 9 through 10 of the  
27 supplemental accusation are incorporated herein by reference and

are realleged as if fully set forth.

2. On August 9, 1984, the Board of Registered Nursing, in a proceeding number 84-25, revoked registered nurse license number B 281536, issued to William Neil Reimers, then stayed the revocation for five years under conditions. One condition of the stay was that respondent obey all the laws of the United States, State of California, and all rules and regulations and laws pertaining to the practice of nursing in this state. Another condition was that respondent completely abstain from the personal use of narcotics, hypnotics, controlled substances or dangerous drugs, in any form, except when a bona fide patient of a licensed physician and when the same are lawfully prescribed. A copy of that decision is attached as exhibit A and is incorporated herein by reference.

3. Grounds exist for vacating the stay heretofore entered and reimposing the order of revocation in that William Neil Reimers has failed to obey all the laws and rules of the State of California, and its political subdivisions and all rules and regulations pertaining to the practice of nursing in this state and that respondent has failed to abstain from the illegal personal use of controlled substances as alleged in paragraphs 1 through 6 of the accusation.

WHEREFORE, complainant prays a hearing be had and that the Board of Registered Nursing make its order:

1. Revoking or suspending registered nurse license number B 281526, issued to William Neil Reimers.

/

Ε.

1           2. Vacating the stay and reimposing the order of  
2 revocation of license number B 281530, issued to William Neil  
3 Reimers.

4           3. Taking such other and further action as may be  
5 deemed proper and appropriate.

6           DATED: July 1, 1986.

7  
8           CATHERINE M. PURI, R.N., Ph.D.  
9           Executive Officer  
10          Board of Registered Nursing  
11          Department of Consumer Affairs  
12          State of California

13          Complainant

14          By: Barry D. Colton  
15          BARRY D. COLTON  
16          Deputy Attorney General

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18  
19  
20  
21          BDC:eyg  
22          03579110-LA84AD2277  
23          REIMERS1-7E1  
24          6-30-86

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2 BARRY D. COLTON  
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4 Telephone: (213) 736-2076

5 Attorneys for Complainant  
6  
7

8 BEFORE THE  
9 BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
10 STATE OF CALIFORNIA

|                                    |   |                                |
|------------------------------------|---|--------------------------------|
| 11 In the Matter of the Accusation | ) | No. 85-119                     |
| 12 Against:                        | ) |                                |
| 13 WILLIAM NEIL REIMERS            | ) | ACCUSATION AND                 |
| 27904 Caraway Lane                 | ) | <u>PETITION TO VACATE STAY</u> |
| 14 Saugus, California 91350        | ) |                                |
| Registered Nurse License           | ) |                                |
| 15 No. B 281536                    | ) |                                |
|                                    | ) |                                |
| Respondent.                        | ) |                                |
| 16                                 | ) |                                |

17 Catherine M. Puri, R.N., Ph.D., for causes for disci-  
18 pline, alleges:  
19

20 1. Complainant Catherine M. Puri, R.N., Ph.D., makes  
21 and files this accusation and petition to vacate stay in her  
22 official capacity as Executive Officer, Board of Registered  
23 Nursing, Department of Consumer Affairs.  
24

25 2. On August 31, 1977, the Board of Registered Nursing  
26 issued registered nurse license number B 281536 to William Neil  
27 Reimers. Effective August 9, 1984, the Board of Registered

1 Nursing revoked the license, then stayed the revocation for five  
2 years under conditions. The license will expire on March 31,  
3 1985, unless renewed.

4  
5 3. Under Business and Professions Code section 2750,  
6 the Board of Registered Nursing may discipline any licensee,  
7 including a licensee holding a temporary or an inactive license,  
8 for any reason provided in Article 3 of the Nursing Practice Act.

9  
10 4. DRUGS

11 "Demerol," a brand of meperidine, a derivative of  
12 pethidine, is a Schedule II controlled substance as designated by  
13 Health and Safety Code section 11055(c)(15).

14  
15 5. Respondent has subjected his license to discipline  
16 under Business and Professions Code section 2761(a) on the  
17 grounds of unprofessional conduct, as defined in section 2762(e)  
18 of that code, in that while on duty at Henry Mayo Newhall Medical  
19 Center, Valencia, he made false, grossly incorrect, grossly  
20 inconsistent, and unintelligible entries in hospital and patient  
21 records pertaining to Demerol, a controlled substance, in the  
22 following respects:

23 a. On September 2, 1984, at 3:00 a.m., he signed  
24 out Demerol, 100 mg., on Narcotic Administration Record No. 9954,  
25 line 8, for patient J.S., and failed to chart administration of  
26 the medication on the patient's medication record. The patient  
27 was discharged on September 1, 1984.



1           b. On September 2, 1984, time not charted, he  
2 signed out Demerol, 100 mg., on Narcotic Administration Record  
3 No. 9954, line 7, for patient J.S., and failed to chart adminis-  
4 tration of the medication in the patient's medication record.  
5 The patient was discharged on September 1, 1984.

6           c. On September 2, 1984, at 1:00 a.m., he signed  
7 out Demerol, 25 mg., on Narcotic Administration Record No. 9907,  
8 line 15, for patient F.M., and failed to chart administration  
9 of the medication on patient's medication record.

10          d. On September 2, 1984, at 4:00 a.m., he signed  
11 out Demerol, 25 mg., on Narcotic Administration Record No. 9907,  
12 line 14, for patient F.M., contrary to physician's order, and  
13 failed to chart administration of the medication in the  
14 patient's medication record.

15          e. On September 2, 1984, at 7:30 a.m., he signed  
16 out Demerol, 25 mg., on Narcotic Administration Record No. 9907,  
17 line 15, for patient F.M., contrary to physician's orders, and  
18 failed to chart administration of the medication in the patient's  
19 medication record.

20          f. On August 29, 1984, at 8:20 a.m., he signed out  
21 Demerol, 50 mg., on Narcotic Administration Record No. 9910,  
22 line 10, for patient E.A., and failed to chart administration of  
23 the medication in patient's medication record. Respondent was  
24 not on duty at this time.

25          g. On August 29, 1984, at noon, he signed out  
26 Demerol, 50 mg., on Narcotic Administration Record No. 9910,  
27 line 9, for patient E.A., and failed to chart administration of

1 the medication in the patient's medication record. Respondent  
2 was not on duty at this time.

3 h. On August 29, 1984, at 3:30 p.m., he signed out  
4 Demerol, 50 mg., on Narcotic Administration Record No. 9910,  
5 line 8, for patient E.A., contrary to physician's order, and  
6 failed to chart administration of the medication in the patient's  
7 medication record. Patient was discharged on August 29, 1984,  
8 at 2:56 p.m.

9 i. On August 25, 1984, at 5:30 a.m., he signed out  
10 Demerol, 100 mg., on Narcotic Administration Record No. 9806,  
11 line 12, for patient R.F., and charted it as administration of  
12 Demerol, 75 mg., on the patient's medication record at 5:00 a.m.  
13 Doses of Demerol, 75 mg., were available for use at this time.

14 j. On August 25, 1984, at 8:00 p.m., he signed out  
15 Demerol, 75 mg., on Narcotic Administration Record No. 9936,  
16 line 15, for patient R.F., and charted administration of the  
17 medication on the patient's medication record. Further, on  
18 August 25, 1984, at 9:30 p.m., he signed out Demerol, 75 mg., on  
19 Narcotic Administration Record No. 9936, line 14, for patient  
20 R.F., contrary to physician's orders, and charted administration  
21 of the medication on the patient's medication record.

22 k. On August 30, 1984, at 3:40 a.m., he signed out  
23 Demerol, 75 mg., on Narcotic Administration Record No. 9952,  
24 line 9, for patient R.F., and recorded administration of the  
25 medication on the patient's medication record. Further, on  
26 August 30, 1984, at 3:40 a.m., he signed out Demerol, 100 mg., on  
27 Narcotic Administration Record No. 9806, line 9.

1           1. On August 30, 1984, at 9:00 p.m., he signed out  
2 Demerol, 75 mg., on Narcotic Administration Record No. 9952,  
3 line 11, for patient R.F., and failed to chart administration of  
4 the medication on the patient's medication record.

5           m. On August 31, 1984, at 0030, he signed out  
6 Demerol, 75 mg., on Narcotic Administration Record No. 9952,  
7 line 10, for patient R.F., and charted administration of the  
8 medication on the patient's medication record. Further, on  
9 August 31, 1984, at 2:30 a.m., he signed out Demerol, 100 mg., on  
10 Narcotic Administration Record No. 9806, line 8, for patient  
11 R.F., contrary to physician's orders, and failed to chart  
12 administration of the medication on the patient's medication  
13 record.

14           n. On August 31, 1984, at 3:30 a.m., he signed out  
15 Demerol, 75 mg., on Narcotic Administration Record No. 9952,  
16 line 9, for patient R.F., contrary to physician's orders, and  
17 failed to chart administration of the medication on the patient's  
18 medication record.

19           o. On August 31, 1984, at 6:00 a.m., he signed out  
20 Demerol, 75 mg., on Narcotic Administration Record No. 9952,  
21 line 8, for patient R.F., contrary to physician's orders, and  
22 charted administration of the medication on the patient's  
23 medication record.

24           p. On August 31, 1984, at 7:00 a.m., he signed out  
25 Demerol, 75 mg., on Narcotic Administration Record No. 9952,  
26 line 7, for patient R.F., contrary to physician's orders, and  
27 failed to chart administration of the medication on the  
28 patient's medication record.

1                   q. On September 1, 1984, at 8:30 p.m., he signed  
2 out Demerol, 75 mg., on Narcotic Administration Record No. 9909,  
3 line 7, for patient R.K., and charged administration of the medi-  
4 cation on the patient's medication record at 8:15 p.m., 15  
5 minutes prior to being signed out.

6                   r. On September 1, 1984, at 11:15 p.m., he signed  
7 out Demerol, 75 mg., on Narcotic Administration Record No. 9909,  
8 line 6, for patient R.K., and charted administration of the medi-  
9 cation on the patient's medication record at 11:00 p.m., 15  
10 minutes prior to being signed out.

11                   s. On September 1, 1984, at 2:00 a.m., he signed  
12 out Demerol, 75 mg., on Narcotic Administration Record No. 9909,  
13 line 5, for patient R.K., and charted administration of the medi-  
14 cation on the patient's medication record on September 2, 1984,  
15 at time unintelligible.

16                   t. On September 2, 1984, at 1:00 a.m., he signed  
17 out Demerol, 75 mg., on Narcotic Administration Record No. 9909,  
18 line 4, for patient R.K., and failed to chart administration of  
19 the medication on the patient's medication record.

20                   u. On September 2, 1984, at 4:30 a.m., he signed  
21 out Demerol, 75 mg., on Narcotic Administration Record No. 9909,  
22 line 3, for patient R.K., and failed to chart administration of  
23 the medication on the patient's medication record.

24                   v. On September 2, 1984, at 7:30 a.m., he signed  
25 out Demerol, 75 mg., on Narcotic Administration Record No. 9909,  
26 line 2, for patient R.K., and failed to chart administration of  
27 the medication on the patient's medication record.

1 w. On September 2, 1984, at 2:00 a.m., he signed  
2 out Demerol, 100 mg., on Narcotic Administration Record No. 9954,  
3 line 6, for patient R.K., and failed to chart administration of  
4 the medication on the patient's medication record.

5 x. On September 2, 1984, at 5:00 a.m., he signed  
6 out Demerol, 100 mg., on Narcotic Administration Record No. 9954,  
7 line 5, for patient R.K., and failed to chart administration of  
8 the medication on the patient's medication record.

9 y. On September 2, 1984, at 8:00 a.m., he signed  
10 out Demerol, 100 mg., on Narcotic Administration Record No. 9954,  
11 line 4, for patient R.K., and failed to chart administration of  
12 the medication on the patient's medication record. Respondent  
13 was not on duty at this time.

14 z. On September 2, 1984, at noon, he signed out  
15 Demerol, 100 mg., on Narcotic Administration Record No. 9954,  
16 line 3, for patient R.K., and failed to chart administration of  
17 the medication on the patient's medication record. Respondent  
18 was not on duty at this time.

19 aa. On September 2, 1984, he failed to administer  
20 insulin at 7:30 a.m. to patient G.B., and failed to record inputs  
21 and outputs for said patient.

22 bb. On September 2, 1984, he failed to record  
23 inputs and outputs for patient J.M.

24 cc. On September 2, 1984, he failed to administer  
25 pronestyl to patient T.F. at midnight and 6:00 a.m., and failed  
26 to record inputs and outputs for said patient.

27 ///

1           6. Respondent has subjected his license to discipline  
2 under Business and Professions Code section 2761(a) on the  
3 grounds of unprofessional conduct, as defined in section 2762(a)  
4 of that code, in that while employed at Henry Mayo Newhall  
5 Medical Center, Valencia, he committed the following acts:

6           a. During August and September, 1984, he obtained,  
7 on many occasions, Demerol, a controlled substance, by fraud,  
8 deceit, misrepresentation and subterfuge in violation of Health  
9 and Safety Code section 11173(a) by misrepresenting on the  
10 hospital drug records that he had withdrawn the drug for various  
11 patients, when in fact he withdrew it for his own use.

12           b. During August and September, 1984, he had in  
13 his possession Demerol, a controlled substance, in violation of  
14 Business and Professions Code section 4230.

15           c. During August and September, 1984, he self-  
16 administered Demerol, a controlled substance, without the direc-  
17 tion of a physician.

18

19                           PETITION TO VACATE STAY

20           1. The allegations of paragraphs 1 through 6 of the  
21 accusation are incorporated herein by reference and are realleged  
22 as if fully set forth.

23

24           2. On August 9, 1984, the Board of Registered Nursing,  
25 in a proceeding number 84-25, revoked registered nurse license  
26 number B 281536, issued to William Neil Reimers, then stayed the  
27 revocation for five years under conditions. One condition of the

1 stay was that respondent obey all the laws of the United States,  
2 State of California, and all rules and regulations and laws per-  
3 taining to the practice of nursing in this state. Another con-  
4 dition was that respondent completely abstain from the personal  
5 use of narcotics, hypnotics, controlled substances or dangerous  
6 drugs, in any form, except when a bona fide patient of a  
7 licensed physician and when the same are lawfully prescribed. A  
8 copy of that decision is attached as Exhibit A and is incorporated  
9 herein by reference.

10

11 3. Grounds exist for vacating the stay heretofore  
12 entered and reimposing the order of revocation in that William  
13 Neil Reimers has failed to obey all the laws and rules of the  
14 State of California, and its political subdivisions and all rules  
15 and regulations pertaining to the practice of nursing in this  
16 state and that respondent has failed to abstain from the illegal  
17 personal use of controlled substances as alleged in paragraphs 1  
18 through 6 of the accusation.

19

20 WHEREFORE, complainant prays a hearing be had and that  
21 the Board of Registered Nursing make its order:

22 1. Revoking or suspending registered nurse license  
23 number B 281536, issued to William Neil Reimers.

24 2. Vacating the stay and reimposing the order of  
25 revocation of license number B 281536, issued to William Neil  
26 Reimers.

27 ///

1                   3. Taking such other and further action as may be  
2 deemed proper and appropriate.

3                   DATED: April 9, 1985

4                   Catherine M. Puri  
5 CATHERINE M. PURI, R.N., Ph.D.  
6 Executive Officer  
7 Board of Registered Nursing  
8 Department of Consumer Affairs  
9 State of California

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27 Complainant

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EXHIBIT A

BEFORE THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against: )

WILLIAM N. REIMERS  
27904 Caraway Lane  
Saugus, CA 91350  
License No. B281536

NO. 84-25

L-30905

Respondent.


DECISION

The attached Proposed Decision of the Administrative Law Judge is hereby adopted by the Board of Registered Nursing as its Decision in the above-entitled matter.

This Decision shall become effective on August 9, 1984.

IT IS SO ORDERED July 9, 1984.

BOARD OF REGISTERED NURSING

  
Board President

BEFORE THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

|                                   |           |
|-----------------------------------|-----------|
| In the Matter of the Accusation ) |           |
| Against: )                        |           |
| )                                 |           |
| )                                 |           |
| WILLIAM N. REIMERS )              | No. 84-25 |
| 27904 Caraway Lane )              |           |
| Saugus, CA 91350 )                |           |
| License No. B281536 )             | L-30905   |
| )                                 |           |
| Respondent. )                     |           |

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PROPOSED DECISION

This matter came on regularly for hearing before Carl A. Pierson, Administrative Law Judge of the Office of Administrative Hearings, at Los Angeles, on December 12, 1983, at the hour of 9:00 a.m. Barry Colton, Deputy Attorney General, represented the complainant. The respondent appeared and represented himself. Oral and documentary evidence was received. The matter was held open to allow respondent to submit other documents into evidence. Such other evidence not having been received and the Administrative Law Judge having been notified that they would not be forthcoming, the matter was submitted on February 17, 1984. The Administrative Law Judge makes the following findings of fact pursuant to stipulation of the parties.

I

The complainant herein Carol Henriksen, made and filed the Accusation herein in her official capacity as the Supervising Nursing Education Consultant of the Board of Registered Nursing and not otherwise.

II

In or about 1977, the board issued license number B281536 to William N. Reimers (respondent herein and hereinafter referred to as "respondent"). Said license is in full force and effect until March 31, 1985.

### III

Demerol is a trade name for the narcotic substance meperidine hydrochloride, schedule II controlled substance by virtue of Health and Safety Code section 11055, subdivision (c), paragraph 14 and is a dangerous drug within the meaning of section 4211, subdivision (k).

### IV

Morphine Sulphate, is a schedule II controlled substance by virtue of Health and Safety Code section 11055, subdivision (c), paragraph 101, and is a dangerous drug within the meaning of section 4211, subdivision (k).

### V

#### Panorama Community Hospital

A. During the period from on or about March 21, 1983 through April 19, 1983, respondent was employed at Panorama Community Hospital, 14850 Roscoe Boulevard, Panorama City, California, as a registered nurse.

#### Patient Bryce Cox

(1) Doctor's orders for patient Bryce Cox called for Morphine Sulphate 2 to 5 mg. to be given every 4 hours as needed for pain.

(2) Drug records reflect that respondent signed out 10 mg. of Morphine for said patient at 2 p.m. and at 2 a.m. on or about April 14, 1983.

(3) Said patient's medication record reflects that respondent administered Morphine to said patient at 2 p.m. and at 2 a.m.

(4) Nursing notes for said patient do not reflect anything regarding pain or medication given to said patient. Further, at 2 a.m., the only notation is "light sedation given."

(5) Respondent failed to follow proper hospital procedure in that there is no co-signature by another nurse that a portion of either 10 mg. Morphine dose was wasted.

Patient Anthony Calandra

(1) Doctor's orders for said patient Anthony Calandra called for Demerol 50-75 mg. every three to four hours as needed for pain.

(2) Drug records reflect that respondent signed out 75 mg. of Demerol for said patient on or about April 15, 1983, at or about 6:36 p.m. Said records further indicate that a second dose was signed out by Mercy Vianzon, R.N., at or about 7:20 p.m.

(3) Respondent failed to chart the administration of the 6:36 p.m. dosage or its administration in said patient's medication record.

(4) Respondent failed to make any mention of the need for the 6:36 p.m. dosage or its administration in said patient's nursing notes.

(5) In truth and in fact, respondent punched in on the hospital time clock at 6:36 p.m. on April 15, 1983, and the entry in the hospital drug record at 6:36 a.m. on April 15, 1983, is incorrect.

Patient Morris Schopenfeld

(1) Doctor's orders for patient Morris Schopenfeld called for Demerol 25 mg. every three hours as needed.

(2) Drug records reflect that respondent signed out 75 mg. of Demerol for said patient on or about March 31, 1983, at or about 7:15 a.m. and at 10:30 a.m., Demerol 50 mg. at 1:00 p.m. and 8:30 p.m.

(3) Respondent indicated in said patient's medication record that Demerol 25 mg. was administered to said patient at 7:30 a.m., 10:30 a.m., 12:00 noon and at 3:15 p.m.

(4) Respondent failed to indicate on the nursing notes for said patient the need for said medication.

(5) Respondent failed to follow hospital procedure with regard to wastage of excess Demerol not administered to said patient. Further, respondent neglected to use 25 mg. dosages which were available in the narcotics cart during this time.

Patient Josef Asch

(1) Doctor's orders for said patient called for Morphine Sulphate 4 mg. every four hours as needed for pain.

(2) Respondent signed out Morphine Sulphate 4 mg. for said patient on or about March 31, 1983, at or about March 31, 1983, at or about 1:30 p.m.

(3) Respondent charted said dosage as administered to said patient at or about 1:30 p.m.

(4) Respondent failed to make any comment regarding said dosage in said patient's nursing notes. However, at or about 2:15 p.m., said nursing notes reflect that "pt. states he did not get my MS before when I had chest pains."

Patient Eva Hallett

(1) Doctor's orders for patient Eva Hallett called for Demerol 10 mg. for pain to be immediately followed by Demerol 40 mg. IM. (This is a one time "stat" order). A second "stat" order for Demerol 50 mg. is given by Dr. Lesson to respondent.

(2) Drug records indicate that respondent signed out for Demerol 50 mg. at 6:35 p.m.; 75 mg. Demerol 50 mg. at 7:20 p.m.; and Demerol 75 mg. at 8:30 p.m. on or about April 7, 1983.

(3) Said patient's medication record reflect that Demerol 50 mg. was administered to said patient at 6:35 p.m. and 7:20 p.m.

(4) Recovery room notes indicate that said patient was transferred from respondent's care at 8:00 p.m. on or about April 7, 1983.

(5) There were no doctor's orders for the 8:30 p.m. dosage for said patient. Further, there are no indications that a portion of the 75 mg. dosages for said patient were properly wasted by the respondent.

Granada Hills Community Hospital

B. During the period from on or about June 1983 through July 14, 1983, respondent was employed at Granada Hills Community Hospital, Granada Hills, California, as a registered nurse.

Patient Ernest Closson

(1) Doctor's orders for patient Ernest Closson called for ASA and Darvocet N 100. There were no orders for Demerol.

(2) Narcotic record number 46428 reflects that respondent signed out for Demerol 100 mg. for said patient at or about 6:15 p.m. on or about July 3, 1983.

(3) Respondent failed to chart administration of said Demerol to said patient on the emergency room medication record.

(4) Respondent failed to indicate wastage of said Demerol.

Patient John Garcia

(1) Doctor's orders for patient John Garcia called for Demerol 50 mg. and Vistaril 25 mg. to be given and 20 Tylenol #3 to be dispensed.

(2) Narcotic record number 49334 reflects that respondent signed out Demerol 75 mg. for said patient at or about 10 p.m. on or about July 3, 1983.

(3) Emergency room medication records reflect administration of Demerol 50 mg. to said patient by the respondent.

(4) Respondent failed to properly record wastage of the excess Demerol by obtaining a co-signature.

Patient "Vaughn"

(1) Narcotics sheet number 49334 reflects that respondent signed out Demerol 75 mg. for patient

"Vaughn" at or about 2:40 p.m. on or about July 3, 1983.

(2) Emergency room sign in log for said time and date indicates that no patient existed by this name.

(3) Respondent failed to indicate wastage of this dosage.

Patient Jack Terry

(1) Doctor's orders for patient Jack Terry called for Demerol 75 mg. every three hours as needed for severe pain.

(2) Narcotics sheet number 49113 indicates that respondent signed out for Demerol 75 mg. for said patient on or about July 7, 1983, at or about 8:00 a.m., 11:00 a.m., 2:30 p.m. and for a fourth dosage with no time listed.

(3) Narcotics sheet number 49392 indicates that respondent signed out for Demerol 100 mg. at or about 3:30 p.m. on or about July 7, 1983, for said patient.

(4) Narcotics sheet number 49340 reflects that respondent signed out Demerol 50 mg. for said patient on or about July 7, 1983, at or about 7:00 a.m., at a time not listed and at 1:30 p.m.

(5) The medication record for said patient reflects that on or about July 7, 1983, respondent administered Demerol to said patient at or about 8:00 a.m. and at 2:00 p.m.

(6) There is no indication of administration of the remaining Demerol to said patient or its proper wastage.

Patient Lois Wirth

(1) Doctor's orders for patient Lois Wirth called for Demerol 50 mg. every three to four hours as needed for pain.



(2) Narcotic sheet number 49280 indicates that respondent signed out Demerol 75 mg. for said patient on or about July 15, 1983, at or about 7:35 a.m. There is no indication that 25 mg. of Demerol was wasted.

(3) Narcotics sheet number 49130 indicates that respondent signed out Demerol 50 mg. for said patient at or about 11:00 a.m. on or about July 15, 1983.

(4) The medication record for said patient indicates that on or about July 15, 1983, one dosage of Demerol was administered to said patient at or about 8:00 a.m.

#### Holy Cross Hospital

C. During the period from on or about May 28, 29 and 30, 1983, respondent worked at Holy Cross Hospital, 15031 Rinaldi, Mission Hills, California, as a registered nurse.

#### Patient Algerio Navarro

(1) Doctor's orders for patient Algerio Navarro called for Demerol 50 mg. every three to four hours.

(2) Narcotic sheet number 11813 indicates that on or about May 28, 1983, respondent signed out Demerol 50 mg. for said patient at or about 3:00 p.m. and 8:30 p.m.; narcotic sheet number 11236 indicates that respondent signed out Demerol 25 mg. for said patient at 3:15 p.m.; narcotic sheet number 11710 indicates that respondent signed out Demerol 75 mg. for said patient at or about 6:00 p.m.; and narcotic sheet number 11298 indicates that respondent signed out Demerol 100 mg. for said patient at or about 11:30 p.m.

(3) The medication record for said patient indicates that respondent administered doses of Demerol to said patient on or about May 28, 1983, at or about 3:00 p.m., 6:45 p.m., 8:45 p.m. and 11:15 p.m.

(4) Respondent failed to account for wastage of the 75 mg. and 100 mg. dosages as required by hospital procedure.

(5) Respondent failed to account for one of the two dosages of Demerol signed out for said patient at or about 3:00 p.m.

(6) Narcotics sheet number 11298 indicates that on or about May 29, 1983, respondent signed out Demerol 100 mg. for said patient at or about 3:15 p.m.; narcotic sheet number 11710 indicates that respondent signed out Demerol 75 mg. for said patient at or about 6:15 and at 9:30 p.m.; narcotic sheet number 11813 indicates that respondent signed out Demerol 50 mg. for said patient at 12:00 midnight.

(7) Medication records for said patient indicates that on or about May 29, 1983, respondent administered Demerol to said patient at or about 3:15 p.m. and 9:30 p.m.

(8) Respondent failed to account for wastage of the 100 mg. and 75 mg. dosages overage amounts.

(9) Respondent failed to account for the 6:15 p.m. and 12:00 midnight dosages of Demerol.

(10) Narcotic sheet number 11813 indicates that on or about May 30, 1983, respondent signed out Demerol 50 mg. for said patient at or about 3:15 p.m.; narcotic sheet number 11710 indicates that respondent signed out Demerol 75 mg. for said patient at or about 6:00 p.m. and 10:00 p.m.; narcotic sheet number 11298 indicates that respondent signed out Demerol 100 mg. for said patient at or about 9:00 p.m.

(11) The medication record for said patient indicates that on or about May 30, 1983, respondent administered Demerol to said patient at or about 3:00 p.m., 6:30 p.m. and 9:30 p.m.

(12) Respondent failed to account for wastage of the 75 mg. and 100 mg. dosages of Demerol overage amounts.

(13) Respondent failed to account for the Demerol 75 mg. signed out at or about 10:00 p.m.

Kaiser Hospital

D. During the period from on or about December 1, 1982 through February 18, 1983, respondent was employed as a registered nurse at Kaiser Hospital, 13652 Cantara Street, Panorama City, in the Anesthesia Unit.

Patient Thomas Bates

- (1) Anesthesia records for on or about February 17, 1983, reflect that patient Thomas Bates' doctor ordered anesthetic and no Demerol was ordered.
- (2) Records indicate that anesthesia was administered by Lea Enock, CRNA, and that no Demerol was administered.
- (3) On controlled record number 100186, respondent signed out for Demerol 100 mg. for said patient on or about February 17, 1983, at or about 4:00 p.m.
- (4) Respondent was not responsible for the care of said patient.
- (5) Post-anesthesia records for said patient indicate that no Demerol was ordered or charted as administered for said patient.

Patient John Major

- (1) On or about February 22, 1983, Anesthesia management for patient John Major was supervised by Dr. Loh and Dr. Cluff.
- (2) Respondent requested to use balanced anesthesia (Pentanyl and Ethrane), which request was approved and administration was started at or about 1:30 p.m.
- (3) At or about 6:30 p.m., Diane DiGenova, CRNA, relieved respondent as to care of said patient. Thereafter Diane DiGenova found a remaining syringe labeled "Sublimaze" remaining on respondent's medication cart.
- (4) Upon completion of the operation, said patient arrived in post-anesthesia recovery. Dr. Loh noticed the patient was suffering with an exceptional degree of severe pain. Dr. Loh suspected that said patient might not have received the full dose of Sublimaze which was indicated in the anesthesia record.

(5) Chemical analysis of the 2 cc's of liquid remaining in the syringe of "Sublimaze" from respondent's medication cart indicated that it contained Ringers lactate solution.

## VI

Incorporating by reference at this place the allegations set forth in paragraph 14 of the Accusation, including all subparagraphs thereof, as if set forth in full, complainant further alleges that respondent falsified said patient records and narcotic records pertaining to controlled substances and dangerous drugs in order to obtain said controlled substances for administration to himself.

## VII

Incorporating by reference the allegations set forth in paragraph 14 of the Accusation, including all subparagraphs thereof, complainant further alleges that respondent obtained said drugs in violation of law for the purpose of administering said drugs to himself.

## VIII

Respondent is thrity-four (34) years of age, married and has a child 2-1/2 years of age. He took a bachelors degree from Northridge State University, then took nursing training at Pierce Jr. College in the San Fernando Valley. He now has a Masters Degree in nursing from Northridge State University. He had no drug problems prior to the facts set forth herein and has been handling his drug problem since July 1983. He is undergoing rehabilitation at the Veterans Administration Medical Center in Sepulveda. He was honorably discharged from the Air Force, having served 2 years. It is felt that the cost in emotions and economics from this escapade has been so tremendous that he will see that it does not happen again. No patient was deprived of any drugs by respondent.

\* \* \* \*

Pursuant to the foregoing findings of fact the Administrative Law Judge makes the following determination of issues:

I

Grounds to suspend or revoke the license of respondent were established for unprofessional conduct pursuant to Business and Professions Code Sections 2750, 2761(a), 2762(e), 2762(a), 2761(a)(1), 2762(b) and 11172(c) of the Health and Safety Code.

\* \* \* \* \*

WHEREFORE, THE FOLLOWING ORDER is hereby made:

License no. B281536 issued to respondent William N. Reimers is hereby revoked, provided however, that said revocation is hereby stayed and respondent placed on probation for a period of five (5) years on the following terms and conditions:

1. Respondent shall obey all the laws of the United States, State of California, and all rules and regulations and laws pertaining to the practice of nursing in this state.
2. Respondent shall fully and completely comply with the probation program established by the Board and cooperate with representatives of the Board.
3. Respondent during the period of probation shall report in person to such meetings of the Board of Registered Nursing or its designated representatives, as directed.
4. In the event respondent should leave California to reside or practice outside of the state, respondent must notify the Board in writing of the dates of departure and return. Reporting in person may be waived if the respondent moves out of state. If employed in another state as a registered nurse, the respondent must submit to the Board written documentation that the other Board is aware of the reason for and terms of probation. The respondent must continue compliance with all other terms to retain California licensure. Periods of residency or practice outside the State of California will not apply to the reduction of this probationary term.
5. Respondent, during the period of probation shall submit such written reports and verification of actions as are required by the Board.

6. Respondent, if employed in nursing at any time during the period of probation shall have the employer submit to the Board written verification that the employer and the probationer's immediate supervisor understand the conditions of probation.

7. The Board shall be informed of and approve of the type of supervision provided while the respondent is functioning as a registered nurse.

8. Respondent shall begin and successfully complete a course(s) in nursing prior to providing direct patient care and prior to the end of the probationary term. The content of such course(s) and the place and conditions of instruction shall be approved by the Board prior to enrollment. Written proof of enrollment in such course(s) and proof of successful completion shall be given to the Board by the agency or entity instructing the respondent.

9. Respondent shall obtain prior approval of the place of employment from the Board. Respondent may not work for a nurses registry.

10. A. If not employed in nursing on the effective date of this decision, respondent shall not resume the practice of nursing in the State of California until such time as respondent submits to the Board satisfactory evidence in writing from a physician that respondent is physically capable of performing the professional duties of a registered nurse. The respondent shall insure that the physician has read and understands the decision of the Board. If medically determined, a recommended treatment program will be instituted and followed by respondent with the physician providing written reports to the Board.

B. If employed in nursing on the effective date of this decision, the respondent shall, within 45 days submit to the Board satisfactory evidence in writing from a physician that the respondent is physically capable of performing the professional duties of a registered nurse. The respondent shall insure that the physician has read and understands the decision of the Board. If medically determined, a recommended treatment program will be instituted and followed by the respondent with the physician providing written reports to the Board.

11. Respondent shall participate or shall have participated in a rehabilitation program which the Board approves and have reports submitted by the program.

12. Respondent shall completely abstain from the use of alcohol.

13. Respondent shall completely abstain from the personal use of narcotics, hypnotics, controlled substances or dangerous drugs, in any form, except when a bonafide patient of a licensed physician and when the same are lawfully prescribed.

14. Respondent, at any time during the period of probation shall fully cooperate with the Board of Registered Nursing of any of its agents or employees, in their supervision and investigation of compliance with the terms and conditions of probation; and shall, when requested, submit to such tests and samples as the Board or its agents or employees may require for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or controlled substances.

Should the Board of Registered Nursing, after notice to respondent and an opportunity to be heard, determine that respondent has during the period of probation violated any term or condition herein imposed, said Board may reimpose the revocation or make such further order as it may then deem just and reasonable in the exercise of its discretion.

Proceedings to reimpose the revocation or make any other disciplinary order with respect thereto shall be initiated within the period of probation or within one year after the termination thereof, otherwise the stay will become permanent.

I hereby submit the foregoing which constitutes my Proposed Decision in the above-entitled matter as a result of the hearing had before me on December 12, 1983, at Los Angeles, California, and recommend its adoption as the decision of the Board of Registered Nursing.

Dated: March 8, 1984



CARL A. PIERSON  
Administrative Law Judge  
Office of Administrative Hearings

1 JOHN K. VAN DE KAMP, Attorney General  
of the State of California  
2 BARRY D. COLTON,  
Deputy Attorney General  
3 3580 Wilshire Boulevard  
Los Angeles, California 90010  
4 Telephone: (213) 736-2076

5 Attorneys for Complainant  
6  
7

8 BEFORE THE  
BOARD OF REGISTERED NURSING  
9 DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA  
10

11 In the Matter of the Accusation ) No. 84-25  
Against: )  
12 )  
WILLIAM N. REIMERS ) ACCUSATION  
13 27904 Caraway Lane )  
Saugus, CA 91350 )  
14 License No. B281536, )  
Respondent. )  
15 )  
16

17 COMES NOW complainant Carol Henriksen , R.N., who,  
18 as causes for disciplinary action against the above named  
19 respondent, alleges as follows:

20 1. She is the Sup.Nsg.Ed.Consult. for the Board of  
21 Registered Nursing (hereinafter referred to as the "board"), and  
22 makes and files this accusation in her official capacity as such  
23 and not otherwise.

24 2. In or about 1977, the board issued license  
25 number B281536 to William N. Reimers (respondent herein and  
26 hereinafter referred to as "respondent"). Said license is in  
27 full force and effect until March 31, 1985.



1           3. Section 2750 of the Business and Professions Code  
2 (all statutory references hereinafter are to the Business and  
3 Professions Code unless otherwise stated), provides for  
4 disciplinary action against a licensee.

5           4. Section 2761, subdivision (a), provides that the  
6 board may take disciplinary action against a licensed nurse for  
7 unprofessional conduct.

8           5. Section 2762, subdivision (a), provides that it  
9 is unprofessional conduct for a person under the Nursing  
10 Practice Act to obtain or possess in violation of law, or  
11 prescribe or accept as directed by a licensed physician and  
12 surgeon, dentist, or chiropodist, administer to himself or  
13 furnish or administer to another, any narcotic as defined in  
14 sections 11000 through 11650 of the Health and Safety Code or  
15 any dangerous drug as defined in sections 4000 through 4416.

16           6. Section 2762, subdivision (b), provides in part,  
17 that it is unprofessional conduct for a person licensed under  
18 the Nursing Practice Act to use any narcotic as defined in  
19 sections 11000 through 11650 of the Health and Safety Code, or  
20 any dangerous drug as defined in sections 4000 through 4416 in a  
21 manner or to the extent that such use impairs his ability to  
22 conduct with safety to the public the practice authorized by his  
23 license.

24           7. Demerol is a trade name for the narcotic substance  
25 meperidine hydrochloride, schedule II controlled substance by  
26 virtue of Health and Safety Code section 11055, subdivision (c),  
27 paragraph 14 and is a dangerous drug within the meaning of

1 section 4211, subdivision (k).

2 8. Morphine Sulphate, is a schedule II controlled  
3 substance by virtue of Health and Safety Code section 11055,  
4 subdivision (c), paragraph 101, and is a dangerous drug within  
5 the meaning of section 4211, subdivision (k).

6 9. Section 11175, subdivision (a), of the Health and  
7 Safety Code provides, in pertinent part, that no person shall  
8 obtain or attempt to obtain controlled substances by fraud,  
9 deceit, misrepresentation or subterfuge.

10 10. Section 11350 of the Health and Safety Code  
11 provides in pertinent part, that except as otherwise provided in  
12 division 10 of the Health and Safety Code, every person who  
13 possesses any controlled substance specified in subdivision (c)  
14 of section 11055 of the Health and Safety Code, unless upon the  
15 prescription of a licensed physician, dentist, podiatrist, or  
16 veterinarian, shall be punished by imprisonment in the state  
17 prison.

18 11. Section 11032 of the Health and Safety Code  
19 provides that whenever a reference is made to the term  
20 "narcotic" in any provision of the law outside division 10 of  
21 the Health and Safety Code (Uniform Controlled Substances Act,  
22 §§ 11000-11645, incl.) the term shall be construed to mean  
23 controlled substances classified in schedules I and II; said  
24 schedules are defined in said division 10.

25 12. Section 11173, subdivision (a), of the Health and  
26 Safety Code provides, inter alia, that no person shall obtain or  
27 attempt to obtain controlled substances by falsification of

1 medical records. Section 11173, subdivision (b), of the Health  
2 and Safety Code provides that no person shall make any false  
3 statement in any prescription, order, report or record, required  
4 by division 10 of the Health and Safety Code.

5 13. Section 2761, subdivision (a)(1), provides that  
6 the board may take disciplinary action against a licensed nurse  
7 for unprofessional conduct, which includes acts of incompetence  
8 or gross negligence in carrying out usual nursing functions.

9 14. Respondent is subject to disciplinary action  
10 pursuant to sections 2750 and 2761, subdivision (a)(1), in that  
11 said respondent has been guilty of unprofessional conduct in  
12 that he has committed acts of incompetence and or gross  
13 negligence in carrying out nursing functions, as more  
14 particularly alleged as follows:

15 Panorama Community Hospital

16 A. During the period from on or about  
17 March 21, 1983 through April 19, 1983, respondent  
18 was employed at Panorama Community Hospital,  
19 14850 Roscoe Boulevard, Panorama City, California,  
20 as a registered nurse.

21 Patient Bryce Cox

22 (1) Doctor's orders for patient  
23 Bryce Cox called for Morphine Sulphate  
24 2 to 5 mg. to be given every 4 hours as  
25 needed for pain.

26 /

27 /

4.

1 (2) Drug records reflect that respondent  
2 signed out 10 mg. of Morphine for said patient  
3 at 2 p.m. and at 2 a.m. on or about April 14,  
4 1983.

5 (3) Said patient's medication record  
6 reflects that respondent administered Morphine  
7 to said patient at 2 p.m. and at 2 a.m.

8 (4) Nursing notes for said patient  
9 do not reflect anything regarding pain or  
10 medication given to said patient. Further,  
11 at 2 a.m., the only notation is "light  
12 sedation given."

13 (5) Respondent failed to follow proper  
14 hospital procedure in that there is no  
15 co-signature by another nurse that a portion  
16 of either 10 mg. Morphine dose was wasted.

17 Patient Anthony Calandra

18 (1) Doctor's orders for said patient  
19 Anthony Calandra called for Demerol 50-75 mg.  
20 every three to four hours as needed for pain.

21 (2) Drug records reflect that respondent  
22 signed out 75 mg. of Demerol for said patient on  
23 or about April 15, 1983, at or about 6:36 p.m.  
24 Said records further indicate that a second  
25 dose was signed out by Mercy Vianzon, R.N.,  
26 at or about 7:20 p.m.

27 /

1 (3) Respondent failed to chart the  
2 administration of the 6:36 p.m. dosage in  
3 said patient's medication record.

4 (4) Respondent failed to make any mention  
5 of the need for the 6:36 p.m. dosage or its  
6 administration in said patient's nursing notes.

7 (5) In truth and in fact, respondent  
8 punched in on the hospital time clock at  
9 6:36 p.m. on April 15, 1983, and the entry in the  
10 hospital drug record at 6:36 a.m. on April 15,  
11 1983, is incorrect.

12 Patient Morris Schopenfeld

13 (1) Doctor's orders for patient Morris  
14 Schopenfeld called for Demerol 25 mg. every  
15 three hours as needed.

16 (2) Drug records reflect that respondent  
17 signed out 75 mg. of Demerol for said patient  
18 on or about March 31, 1983, at or about 7:15 a.m.  
19 and at 10:30 a.m., Demerol 50 mg. at 1:00 p.m.  
20 and 8:30 p.m.

21 (3) Respondent indicated in said  
22 patient's medication record that Demerol  
23 25 mg. was administered to said patient  
24 at 7:30 a.m., 10:30 a.m., 12:00 noon and  
25 at 3:15 p.m.

26 /

27 /

6.

1 (4) Respondent failed to indicate on  
2 the nursing notes for said patient the need  
3 for said medication.

4 (5) Respondent failed to follow  
5 hospital procedure with regard to wastage of  
6 excess Demerol not administered to said patient  
7 Further, respondent neglected to use 25 mg.  
8 dosages which were available in the narcotics  
9 cart during this time.

10 Patient Josef Asch

11 (1) Doctor's orders for said  
12 patient called for Morphine Sulphate 4 mg.  
13 every four hours as needed for pain.

14 (2) Respondent signed out Morphine  
15 Sulphate 4 mg. for said patient on or about  
16 March 31, 1983, at or about 1:30 p.m.

17 (3) Respondent charted said dosage as  
18 administered to said patient at or about  
19 1:30 p.m.

20 (4) Respondent failed to make any  
21 comment regarding said dosage in said patient's  
22 nursing notes. However, at or about 2:15 p.m., said  
23 nursing notes reflect that "pt. states he did  
24 not get my MS before when I had chest pains."

25 Patient Eva Hallett

26 (1) Doctor's orders for patient Eva Hallett  
27 called for Demerol 10 mg. for push to be immediately

1 followed by Demerol 40 mg. IM. (This is a one  
2 time "stat" order.) A second "stat"  
3 order for Demerol 50 mg. is given by Dr. Lesson  
4 to respondent.

5 (2) Drug records indicate that respondent  
6 signed out for Demerol 50 mg. at 6:35 p.m.;  
7 75 mg. Demerol 50 mg. at 7:20 p.m.; and Demerol  
8 75 mg. at 8:30 p.m. on or about April 7, 1983.

9 (3) Said patient's medication record  
10 reflect that Demerol 50 mg. was administered to  
11 said patient at 6:35 p.m. and 7:20 p.m.

12 (4) Recovery room notes indicate that  
13 said patient was transferred from respondent's  
14 care at 8:00 p.m. on or about April 7, 1983.

15 (5) There were no doctor's orders for  
16 the 8:30 p.m. dosage for said patient. Further,  
17 there are no indications that a portion of the  
18 75 mg. dosages for said patient were properly  
19 wasted by the respondent.

20 Granada Hills Community Hospital

21 B. During the period from on or about June  
22 1983 through July 14, 1983, respondent was employed  
23 at Granada Hills Community Hospital, Granada Hills,  
24 California, as a registered nurse.

25 Patient Ernest Closson

26 (1) Doctor's orders for patient  
27 Ernest Closson called for ASA and Darvocet

1 N 100. There were no orders for Demerol.

2 (2) Narcotic sheet number 49334 reflects  
3 that respondent signed out Demerol 75 mg. for  
4 said patient at or about 2:30 p.m. on or about  
5 June 23, 1983.

6 (3) Respondent failed to chart administration  
7 of said Demerol to said patient on the emergency  
8 room medication record.

9 (4) Respondent failed to indicate  
10 wastage of said Demerol.

11 Patient Angelo Barbish

12 (1) Doctor's orders for patient Angelo  
13 Barbish did not call for any Demerol.

14 (2) Narcotic record number 46428 reflects  
15 that respondent signed out for Demerol 100 mg.  
16 for said patient at or about 6:15 p.m. on or  
17 about July 3, 1983.

18 (3) Respondent failed to chart  
19 administration of said Demerol to said patient  
20 on the emergency room medication record.

21 (4) Respondent failed to indicate  
22 wastage of said Demerol.

23 Patient John Garcia

24 (1) Doctor's orders for patient John Garcia  
25 called for Demerol 50 mg. and Vistaril 25 mg.  
26 to be given and 20 tylenol #3 to be dispensed.

27 /



(2) Narcotic record number 49334 reflects that respondent signed out Demerol 75 mg. for said patient at or about 10 p.m. on or about July 3, 1983.

(3) Emergency room medication records reflect administration of Demerol 50 mg. to said patient by the respondent.

(4) Respondent failed to properly record wastage of the excess Demerol by obtaining a co-signature.

Patient "Vaughn"

(1) Narcotics sheet number 49334 reflects that respondent signed out Demerol 75 mg. for patient "Vaughn" at or about 2:40 p.m. on or about July 3, 1983.

(2) Emergency room sign in log for said time and date indicates that no patient existed by this name.

(3) Respondent failed to indicate wastage of this dosage.

Patient Jack Terry

(1) Doctor's orders for patient Jack Terry called for Demerol 75 mg. every three hours as needed for severe pain.

(2) Narcotics sheet number 49113 indicates that respondent signed out for Demerol 75 mg. for said patient on or about

1 July 7, 1983, at or about 8:00 a.m., 11:00 a.m.,  
2 2:30 p.m. and for a fourth dosage with no  
3 time listed.

4 (3) Narcotics sheet number 49392 indicates  
5 that respondent signed out for Demerol 100 mg.  
6 at or about 3:30 p.m. on or about July 7,  
7 1983, for said patient.

8 (4) Narcotics sheet number 49340 reflects  
9 that respondent signed out Demerol 50 mg. for  
10 said patient on or about July 7, 1983, at or  
11 about 7:00 a.m., at a time not listed and at  
12 1:30 p.m.

13 (5) The medication record for said  
14 patient reflects that on or about July 7, 1983,  
15 respondent administered Demerol to said patient  
16 at or about 8:00 a.m. and at 2:00 p.m.

17 (6) There is no indication of  
18 administration of the remaining Demerol to said  
19 patient or its proper wastage.

20 Patient Lois Wirth

21 (1) Doctor's orders for patient Lois Wirth  
22 called for Demerol 50 mg. every three to four  
23 hours as needed for pain.

24 (2) Narcotic sheet number 49280 indicates  
25 that respondent signed out Demerol 75 mg. for  
26 said patient on or about July 15, 1983, at  
27 or about 7:35 a.m. There is no indication

1 that 25 mg. of Demerol was wasted.

2 (3) Narcotics sheet number 49130 indicates  
3 that respondent signed out Demerol 50 mg. for  
4 said patient at or about 11:00 a.m. on or about  
5 July 15, 1983.

6 (4) The medication record for said  
7 patient indicates that on or about July 15, 1983,  
8 one dosage of Demerol was administered to said  
9 patient at or about 8:00 a.m.

10 Holy Cross Hospital

11 C. During the period from on or about May 28,  
12 29 and 30, 1983, respondent worked at Holy Cross  
13 Hospital, 15031 Rinaldi Mission Hills, California, as a  
14 registered nurse.

15 Patient Algeria Navarro

16 (1) Doctor's orders for patient Algeria  
17 Navarro called for Demerol 50 mg. every three to  
18 four hours.

19 (2) Narcotic sheet number 11813 indicates that  
20 on or about May 28, 1983, respondent signed out  
21 Demerol 50 mg. for said patient at or about  
22 3:00 p.m. and 8:30 p.m.; narcotic sheet number  
23 11236 indicates that respondent signed out  
24 Demerol 25 mg. for said patient at 3:15 p.m.;  
25 Narcotic sheet number 11710 indicates that respondent  
26 signed out Demerol 75 mg. for said patient at or  
27 about 6:00 p.m.; and narcotic sheet number

1 11298 indicates that respondent signed out  
2 Demerol 100 mg. for said patient at or about  
3 11:30 p.m.

4 (3) The medication record for said patient  
5 indicates that respondent administered doses of  
6 Demerol to said patient on or about May 28, 1983,  
7 at or about 3:00 p.m., 6:45 p.m., 8:45 p.m. and  
8 11:15 p.m.

9 (4) Respondent failed to account for  
10 wastage of the 75 mg. and 100 mg. dosages as  
11 required by hospital procedure.

12 (5) Respondent failed to account for one  
13 of the two dosages of Demerol signed out  
14 for said patient at or about 3:00 p.m.

15 (6) Narcotics sheet number 11298 indicates  
16 that on or about May 29, 1983, respondent  
17 signed out Demerol 100 mg. for said patient  
18 at or about 3:15 p.m.; narcotic sheet number 11710  
19 indicates that respondent signed out Demerol 75 mg.  
20 for said patient at or about 6:15 and at 9:30 p.m.;  
21 narcotic sheet number 11813 indicates that  
22 respondent signed out Demerol 50 mg. for said  
23 patient at 12:00 midnight.

24 (7) Medication records for said patient  
25 indicates that on or about May 29, 1983,  
26 respondent administered Demerol to said patient  
27 at or about 3:15 p.m. and 9:30 p.m.

1 (8) Respondent failed to account for wastage of  
2 the 100 mg. and 75 mg. dosages overage amounts.

3 (9) Respondent failed to account for  
4 the 6:15 p.m. and 12:00 midnight dosages of  
5 Demerol.

6 (10) Narcotic sheet number 11813 indicates  
7 that on or about May 30, 1983, respondent signed  
8 out Demerol 50 mg. for said patient at or about  
9 3:15 p.m.; narcotic sheet number 11710 indicates  
10 that respondent signed out Demerol 75 mg. for  
11 said patient at or about 6:00 p.m. and 10:00 p.m.;  
12 narcotic sheet number 11298 indicates that  
13 respondent signed out Demerol 100 mg. for said  
14 patient at or about 9:00 p.m.

15 (11) The medication record for said patient  
16 indicates that on or about May 30, 1983, respondent  
17 administered Demerol to said patient at or  
18 about 3:00 p.m., 6:30 p.m. and 9:30 p.m.

19 (12) Respondent failed to account for  
20 wastage of the 75 mg. and 100 mg. dosages of  
21 Demerol overage amounts.

22 (13) Respondent failed to account for the  
23 Demerol 75 mg. signed out at or about 10:00 p.m.

24 Kaiser Hospital

25 D. During the period from on or about December 1,  
26 1982 through February 18, 1983, respondent was  
27 employed as a registered nurse at Kaiser Hospital,

1 13652 Cantara Street, Panorama City, in the  
2 Anesthesia Unit.

3 Patient Thomas Bates

4 (1) Anesthesia records for on or about  
5 February 17, 1983, reflect that patient  
6 Thomas Bates' doctor ordered anesthetic and  
7 no Demerol was ordered.

8 (2) Records indicate that anesthesia  
9 was administered by Lea Enock, CRNA, and that  
10 no Demerol was administered.

11 (3) On controlled record number 100186,  
12 respondent signed out for Demerol 100 mg. for  
13 said patient on or about February 17, 1983, at  
14 or about 4:00 p.m.

15 (4) Respondent was not responsible for the  
16 care of said patient.

17 (5) Post-anesthesia records for said  
18 patient indicate that no Demerol was ordered or  
19 charted as administered for said patient.

20 Patient John Major

21 (1) On or about February 22, 1983,  
22 Anesthesia management for patient John Major was  
23 supervised by Dr. Loh and Dr. Cluff.

24 (2) Respondent requested to use balanced  
25 anesthesia (Pentanyl and Ethrane, which  
26 request was approved and administration  
27 was started at or about 1:30 p.m.

1 (3) At or about 6:30 p.m., Diane DiGenova,  
2 CRNA, relieved respondent as to care of said  
3 patient. Thereafter Diane DiGenova found  
4 a remaining syringe labeled "Sublimaze" remaining  
5 on respondent's medication cart.

6 (4) Upon completion of the operation,  
7 said patient arrived in post-anesthesia recovery.  
8 Dr. Loh noticed the patient was suffering  
9 with an exceptional degree of severe pain.  
10 Dr. Loh suspected that said patient might  
11 not have received the full dose of Sublimaze  
12 which was indicated in the anesthesia record.

13 (5) Chemical analysis of the 2 cc's  
14 of liquid remaining in the syringe of "Sublimaze"  
15 from respondent's medication cart indicated that  
16 it contained Ringers lactate solution.

17 15. Section 2762, subdivision (e), provides in  
18 pertinent part, that falsifying any hospital patient or  
19 other record pertaining to the substances described in  
20 section 2762, subdivision (a), constitutes unprofessional  
21 conduct.

22 16. Respondent is subject to disciplinary action  
23 pursuant to sections 2750 and 2761, subdivision (a), in that he  
24 has committed acts of unprofessional conduct by falsifying  
25 hospital patient records and narcotic records pertaining to  
26 controlled substances and dangerous drugs, in violation of

27 /  
16.

1 section 2762, subdivision (e), as more particularly alleged as  
2 follows:

3           Incorporating by reference at this place the  
4           allegations set forth in paragraph 14, including all  
5           subparagraphs thereof, as if set forth in full,  
6           complainant further alleges that respondent  
7           falsified said patient records and narcotic  
8           records pertaining to controlled substances  
9           and dangerous drugs in order to obtain said  
10          controlled substances for administration to  
11          himself.

12           17. Respondent is subject to disciplinary action  
13          pursuant to sections 2750 and 2761, subdivision (a), in that he  
14          is guilty of unprofessional conduct in that he has committed  
15          acts in violation of sections 2762, subdivision (a), and 2762,  
16          subdivision (b), and section 11172, subdivision (c), of the  
17          Health and Safety Code as more particularly alleged as follows:

18           Incorporating by reference the allegations set  
19           forth in paragraph 14, including all subparagraphs  
20           thereof, complainant further alleges that respondent  
21           obtained said drugs in violation of law for the  
22           purpose of administering said drugs to himself.

23           /

24           /

25           /

26           /

27           /

17.



1 WHEREFORE, complainant prays that the board hold a  
2 hearing on the matters alleged herein and, following said  
3 hearing, issue a decision:

4 1. Revoking or suspending license number B281536,  
5 heretofore issued to William N. Reimers, R.N.; and

6 2. Taking such other action as the board deems proper.

7 DATED: October 20, 1983.

8  
9  
10 Carol Henriksen

11 CAROL HENRIKSEN, R.N.  
12 Supervising Nsg.Educ. Consultant  
13 Board of Registered Nursing  
14 State of California

15 Complainant

16 BDC:eyg  
17 03579110-LA83AD0516  
18 REIMER1-18 #4  
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